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INTERIOR ASSISTANT SECRETARY O'NEAL ANNOUNCES REGULATORY CHANGES TO STREAMLINE APPEALS PROCESS

The Department of the Interior's Assistant Secretary for Land and Minerals Management, David C. O'Neal, announced today two significant rulemakings designed to streamline an unwieldy appeals process.

Responding to what O'Neal called "growing public demand for more efficient and effective government," the department will publish in the Federal Register on September 25, 1992, new regulations that will set standards that must be met if decisions or operations are suspended during consideration of an appeal [43 CFR 4.21(a)]. At the same time, the Bureau of Land Management will publish a final rule on the same issue affecting onshore oil, gas and geothermal operations.

"When the American people feel that their concerns are being heard, our government works better. Right now the appeals process is overwhelmed, largely because of our own red tape. Valid appeals are being held up while frivolous appeals bottle up the system. This is costing our nation jobs and reducing our productivity, not to mention creating an atmosphere of uncertainty."

O'Neal stated, "Our feeling is that the public's right to appeal is not negotiable: the public has a right to question our decisions. All we ask is that an appellant adequately demonstrate why a given decision should be suspended."

Under existing departmental regulations, decisions or approved actions are suspended automatically from the time an appeal is received until a decision is made by the Office of Hearings and Appeals. "An appeal without cause or merit can indefinitely delay decisions, too often at the expense of the larger public interest," O'Neal said.

(more)

O'Neal heads a departmental policy team studying ways to streamline the appeals process. "The prospect of more jobs and increased economic productivity are important reasons to take a hard look at the Department's existing policies, and make sound decisions about what we can be doing better," he said. "The Bureau of Land Management's final rulemaking and the department's proposed rule are two sound steps in the right direction."

"We strongly support the public's right to be involved in departmental decisions," O'Neal emphasized. "At the same time, we believe that the public deserves timely responses through our appeals process."

The two new rules were developed in response to President Bush's call, in his 1992 State of the Union address, for each federal agency to review or eliminate regulations that were unnecessary, out-of-date, or hampered economic growth."

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