



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members
From: Subcommittee on Federal Lands – Aniela Butler, Taylor Wiseman, and Colen Morrow (Aniela@mail.house.gov, Taylor.Wiseman@mail.house.gov, and Colen.Morrow@mail.house.gov, x6-7736); and Subcommittee on Energy and Mineral Resources – Ashley McManus, Rob MacGregor, and Jeanne Kuehl (Ashley.McManus@mail.house.gov, Robert.MacGregor@mail.house.gov, Jeanne.Kuehl@mail.house.gov x5-9297)
Date: Wednesday, May 15, 2024
Subject: Oversight Hearing on “*Examining the President’s FY 2025 Budget Request for the Bureau of Land Management and National Park Service*”

The Subcommittee on Federal Lands will hold an oversight hearing on “*Examining the President’s FY 2025 Budget Request for the Bureau of Land Management and National Park Service*” on **Wednesday, May 15, 2024, at 10:15 a.m. in room 1324 Longworth House Office Building.**

Member offices are requested to notify Will Rodriguez (Will.Rodriguez@mail.house.gov) by 4:30 p.m. on Tuesday, May 14, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- The Biden administration’s proposed budget for the Bureau of Land Management (BLM) and the National Park Service (NPS) is out of touch with the issues everyday Americans are facing, like high energy costs, inflation, and lack of access to public lands. The budget harms rural communities, families, and small businesses.
- The BLM budget is a fundamental threat to the Western way of life, focusing on topics like climate change, environmental justice, and clean energy at the expense of rural Americans whose jobs depend on the multiple uses of our public lands.
- The NPS budget inexplicably cuts programs that improve access to our nation’s crown jewels and reduce the deferred maintenance backlog to fund vague and undefined administration priorities.
- In contrast, Committee Republicans have advanced commonsense, bipartisan solutions that allow access to our abundant federal lands to support American energy dominance, national security, and rural economies.

II. WITNESSES

- **The Honorable Tracy Stone-Manning**, Director, Bureau of Land Management, U.S. Department of the Interior, Washington, D.C.

- **The Honorable Charles F. “Chuck” Sams III**, Director, National Park Service, U.S. Department of the Interior, Washington, D.C.

III. BACKGROUND

Budget Totals of Select Accounts

Agency	FY 2023 Actual	FY 2024 Annualized CR	FY 2025 Request	Change, FY 2024 Annualized CR to FY 2025
<i>Bureau of Land Management (BLM)</i>	<i>\$1.99 billion</i>	<i>\$2.03 billion</i>	<i>\$2.06 billion</i>	<i>+\$31.5 million</i>
Management of Lands and Resources	\$1.37 billion	\$1.37 billion	\$1.4 billion	+26.3 million
Range Improvements	\$9.4 million	\$9.4 million	\$9.4 million	-
Land Acquisition	\$70.0 million	\$73.9 million	\$78.2 million	+\$4.4 million
<i>National Park Service (NPS)</i>	<i>\$6.24 billion</i>	<i>\$4.72 billion</i>	<i>\$4.81 billion</i>	<i>+89.1 million</i>
Operation of the National Park System	\$2.92 billion	\$2.92 billion	\$3.09 billion	+\$167.0 million
Centennial Challenge	\$15 million	\$15 million	\$13 million	-\$2.0 million
National Recreation and Preservation	\$95.51 million	\$92.51 million	\$84.42 million	-\$8.09 million
Land Acquisition and State Assistance	\$578.85 million	\$547.74 million	\$532.89 million	-\$14.86 million
Construction (and Major Maintenance)	\$1.74 billion	\$239.8 million	\$237.2 million	-\$2.6 million

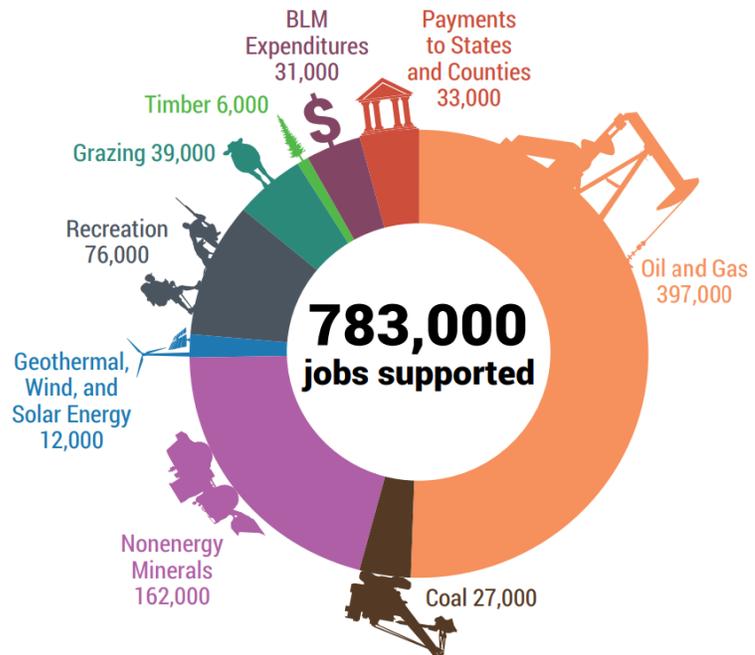
Bureau of Land Management

Overview – The BLM manages 245 million acres of public lands, heavily concentrated (99 percent) in the 11 western continental states and Alaska, and 714 million acres of federal subsurface mineral estate.¹ The BLM manages approximately 1 out of every 10 surface acres and 1 out of 3 subsurface acres in the U.S.² Under the agency’s enabling statute, the Federal Land Policy and Management Act of 1976 (FLPMA), BLM manages public lands based on a multiple-use and sustained yield mandate (multiple-use mandate) that supports livestock grazing, energy and mineral development, recreation, timber production, watershed protection, and wildlife and

¹ Federal Lands and Related Resources: Overview and Selected Issues for the 118th Congress, Congressional Research Service, February 24, 2023, <https://www.crs.gov/Reports/R43429>.

² FY 2025 Bureau of Land Management Greenbook, U.S. Department of the Interior, <https://www.doi.gov/media/document/fy-2025-bureau-land-management-greenbook>.

fish habitat.³ In FY 2022, activities undertaken on BLM-managed lands supported almost \$263 billion in economic output and approximately 1 million jobs.⁴ BLM lands attract over 82 million visitors annually.⁵ The President’s FY 2025 budget includes \$1.556 billion in discretionary appropriations for the BLM, a 7.1 percent increase from the FY 2024 annualized Continuing Resolution (CR). This includes an additional 104 full-time equivalents (FTEs), or staff.



Source: BLM, 2022.

Onshore Oil and Gas Program – In FY 2023, Federal oil production on Federal and Native American lands totaled 588 million barrels, and natural gas production on Federal and Native American lands

totalled roughly 4 trillion cubic feet.⁶ While oil and natural gas production increased on Federal lands from FY 2022, production dropped on Native American lands.⁷ Federal and Native American leases generated approximately \$8.94 billion in bonus bids, royalties, rents, and other revenues in FY 2023.⁸ Nearly half of the revenue from Federal leases was distributed to states in accordance with statutory revenue-sharing provisions.⁹

The Mineral Leasing Act explicitly states that “lease sales shall be held for each State where eligible lands are available at least quarterly and more frequently if the Secretary of the Interior determines such sales are necessary.”¹⁰ In his first days in office, President Biden imposed an indefinite pause on new oil and natural gas leasing on U.S. federal lands and waters.¹¹ On June 15, 2021, a U.S. District Court judge placed an injunction on the Department of the Interior’s

³ Federal Lands and Related Resources: Overview and Selected Issues for the 118th Congress, Congressional Research Service, February 24, 2023, <https://www.crs.gov/Reports/R43429>.

⁴ FY 2025 Bureau of Land Management Greenbook, U.S. Department of the Interior, <https://www.doi.gov/media/document/fy-2025-bureau-land-management-greenbook>.

⁵ *Id.*

⁶ U.S. Department of the Interior, Natural Resources Revenue Data, <https://revenuedata.doi.gov/query-data>.

⁷ *Id.*

⁸ *Id.*

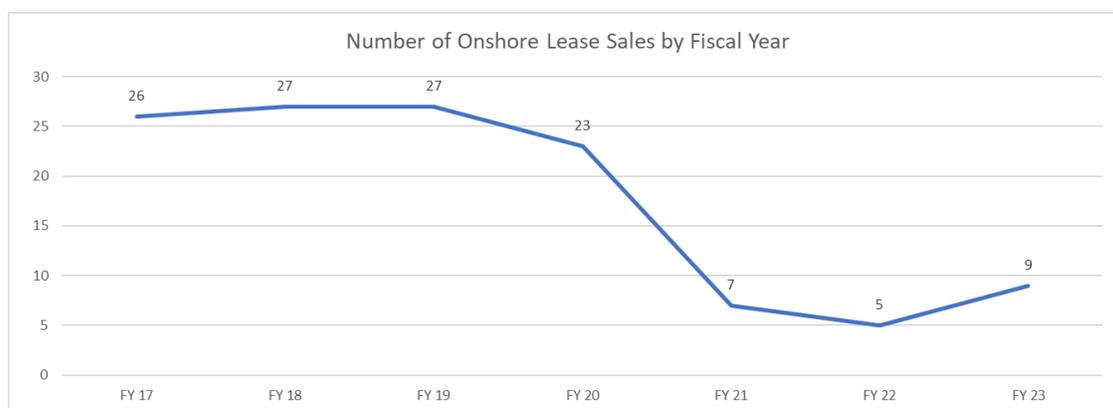
⁹ *Id.*

¹⁰ 30 U.S. Code § 226.

¹¹ Exec. Order 14008, 86 Fed. Reg. 19, 7619 (Jan. 27, 2021).

(DOI's) unlawful moratorium and ordered DOI to restart the leasing process.¹² In response, the Biden administration appealed the decision and continued to delay scheduling lease sales.¹³

Despite these actions, the Biden administration has attempted to take credit for the increase in production on Federal lands, even though most, if not all, of production is occurring on leases issued by previous administrations. The Biden administration did not hold an onshore Federal lease sale until June 2022 and only held 19 lease sales over its first three years.¹⁴ By contrast, the Trump administration held 82 lease sales over its first three years.¹⁵



Source: HNRC Majority Staff, using data from BLM, 2024.

Note: All lease sales held in FY 21 were held by the Trump administration.

The BLM's FY 2025 budget request would continue the Biden administration's war on domestic energy production and small businesses by requesting a new onshore oil and gas inspection fee, repealing the enhanced oil recovery credit and the marginal well credit, and proposing to end expensing of intangible drilling costs and the use of percentage depletion with respect to oil and gas development.¹⁶ The President's budget does not explain how BLM will address the permitting backlogs for oil and gas drilling permits, which stood at 5,492 pending permits in the latest published report.¹⁷

Additionally, the BLM has recently taken new regulatory actions to further impede future oil and gas production on federal lands. Last month, for example, the BLM issued a final rule to update

¹² Joshua Partlow & Juliet Eilperin, "Louisiana judge blocks Biden Administration's oil and gas leasing pause," The Washington Post, June, 15, 2021, <https://www.washingtonpost.com/climate-environment/2021/06/15/louisiana-judge-blocks-biden-administrations-oil-gas-leasing-pause/>.

¹³ Valerie Volcovici, "Biden administration appeals federal court decision to block oil, gas leasing pause," Reuters, August 16, 2021, <https://www.reuters.com/world/us/biden-administration-appeals-federal-court-decision-block-oil-gas-leasing-pause-2021-08-16/>.

¹⁴ U.S. Department of the Interior, Bureau of Land Management, State Oil and Gas Lease Sales, <https://www.blm.gov/programs/energy-and-minerals/oil-and-gas/leasing/regional-lease-sales>.

¹⁵ *Id.*

¹⁶ Bureau of Land Management, Budget Justification and Performance Information Fiscal Year 2025, <https://www.doi.gov/media/document/fy-2025-bureau-land-management-greenbook>, Office of Management and Budget, Budget of the U.S. Government: Fiscal Year 2025, https://www.whitehouse.gov/wp-content/uploads/2024/03/budget_fy2025.pdf.

¹⁷ Application for Permit to Drill Status Report: 1/1/2024 to 1/31/2024, Bureau of Land Management, <https://www.blm.gov/sites/default/files/docs/2024-03/BLM-FY2024-Application-for-Permit-to-Drill-Status-Report-January-2024.pdf>.

its oil and gas leasing regulations.¹⁸ The rule would formally implement provisions from the Inflation Reduction Act (IRA), which increased the royalty rate for production on federal lands but would also make major, non-statutory changes to the BLM’s onshore leasing program. Specifically, the rule proposes ending nationwide bonding and increasing the minimum bond amounts for individual lease bonds and statewide lease bonds from \$10,000 to \$150,000 and from \$25,000 to \$500,000, respectively. These significant increases would tie up capital that would otherwise be put back into production. This result is unjustifiable, given that only 37 orphaned oil and gas wells are on BLM-managed lands.¹⁹ The rule would also formalize the use of “preference criteria” to inform the BLM’s selection of lands for lease sales.²⁰ The BLM’s stated rationale for this change is to avoid conflict in areas with cultural, wildlife, and recreation resources.²¹ This nebulous methodology could be especially problematic if BLM field offices avoid leasing in all areas with endangered or threatened species, critical habitat, or a nearby recreation area. Additionally, this new criterion would be legally binding and could open the BLM up to increased litigation if the agency leased in areas with these resources. Lastly, the rule proposes to create new fees and increase existing fees while limiting the use of lease suspensions and drilling permit extensions.²² H.R. 6009, which was introduced by Representative Boebert to nullify the rule, passed the House of Representatives by a vote of 216-200.²³

Last month, the BLM also finalized its “Waste Prevention, Production Subject to Royalties, and Resource Conservation” rule.²⁴ This rule aims to regulate methane emissions for oil operations on BLM lands by forcing companies to pay royalties on uncaptured methane. The rule builds off of a similar regulation that was finalized during the Obama administration and later vacated by the Federal District Court for the District of Wyoming.²⁵ Judge Scott Skavdahl, an Obama appointee, stated in his decision that “although the stated purpose of the Rule is waste prevention, significant aspects of the Rule evidence its primary purpose being driven by an effort to regulate air emissions, particularly greenhouse gases.”²⁶ In addition to exceeding its statutory authority by trying to regulate air emissions, Judge Skavdahl also found that BLM failed to adequately consider the rule’s costs, benefits, and impacts on marginal wells.²⁷

¹⁸ Bureau of Land Management, Fluid Mineral Leases and Leasing Process, 89 FR 30916, April 23, 2024, <https://www.federalregister.gov/documents/2024/04/23/2024-08138/fluid-mineral-leases-and-leasing-process>.

¹⁹ United States Department of the Interior, Questions for the Record Response for the Senate Energy and Natural Resources Committee Full Committee Hearing “To Examine the Department of the Interior’s Implementation of the Infrastructure Investment and Jobs Act” held on December 13, 2022, June 22, 2023.

²⁰ Bureau of Land Management, Fluid Mineral Leases and Leasing Process, 89 FR 30916, April 23, 2024, <https://www.federalregister.gov/documents/2024/04/23/2024-08138/fluid-mineral-leases-and-leasing-process>.

²¹ *Id.*

²² *Id.*

²³ Office of the Clerk. U.S. House of Representatives. Roll Call 95. H.R. 6009. <https://clerk.house.gov/Votes/202495>.

²⁴ Bureau of Land Management, Waste Prevention, Production Subject to Royalties, and Resource Conservation, April 10, 2024, <https://www.federalregister.gov/documents/2024/04/10/2024-06827/waste-prevention-production-subject-to-royalties-and-resource-conservation#:~:text=On%20November%2030%2C%202022%2C%20the,gas%20from%20venting%2C%20flaring%2C%20and>.

²⁵ 81 F.R. 83008 (November 18, 2016), <https://www.federalregister.gov/documents/2016/11/18/2016-27637/waste-prevention-production-subject-to-royalties-and-resource-conservation>. United States District Court for the District of Wyoming, Scott W. Skavdahl, Case 2:16-cv-00285-SWS, October 8, 2020, https://climatecasechart.com/wp-content/uploads/case-documents/2020/20201008_docket-216-cv-00285_order-1.pdf.

²⁶ *Id.*

²⁷ *Id.*

The new final rule would require operators to submit either a Waste Minimization Plan (WMP), including certification of a valid, executed contract to sell the associated gas, or a self-certification of 100 percent capture of associated gas with oil-well applications for permit to drill (APDs).²⁸ The final rule would also set time and volume limits on royalty-free (RF) flaring. It would not allow operators to request that flared oil-well gas be deemed RF based on case-by-case economic assessments.²⁹ The new requirements in the rule would significantly impact small oil and gas producers and marginal wells. Concerningly, the economic analysis that the rule relies on is incomplete. At the end of last month, the states of North Dakota, Wyoming, Montana, and Texas filed a claim against the final regulation, alleging that BLM has once again exceeded its statutory authority and that BLM’s cost-benefit analysis fails to meaningfully account for the rule’s impact on operators.³⁰

On September 8, 2023, BLM issued a proposed rule, “Management and Protection of the National Petroleum Reserve in Alaska” (NPR-A), further limiting oil and gas leasing in the NPR-A.³¹ The final rule, issued earlier this month, was largely unchanged and would require BLM to review and gather public input at least every ten years to determine whether BLM should create, expand, or add resources to Special Areas within the NPR-A.³² In the rule, the BLM essentially reinterprets the Naval Petroleum Reserves Production Act of 1976 (NPRPA) by treating 13.1 million acres of Special Areas in the NRP-A as de facto wilderness.³³ However, NPRPA clearly states that DOI must “conduct an expeditious program of competitive leasing of oil and gas in the Reserve.”³⁴ The entire Alaska delegation, along with a majority of stakeholders on the North Slope, opposes the rule. They openly criticize the administration for ignoring their concerns and limiting engagement.³⁵ In response, Representative Stauber introduced the “Alaska’s Right to Produce Act of 2023,” which passed the House of Representatives by a vote of 214-199.³⁶

Renewable Energy Program – While the Biden administration has taken action to stifle conventional energy sources on BLM lands, it continues to push renewable energy development forward. The FY 2025 budget justifies this bias by citing the administration’s unrealistic commitments to achieve a carbon-pollution-free power sector by 2035 and reach net-zero

²⁸ Bureau of Land Management, Waste Prevention, Production Subject to Royalties, and Resource Conservation, April 10, 2024, <https://www.federalregister.gov/documents/2024/04/10/2024-06827/waste-prevention-production-subject-to-royalties-and-resource-conservation#:~:text=On%20November%2030%2C%202022%2C%20the,gas%20from%20venting%2C%20flaring%2C%20and.>

²⁹ *Id.*

³⁰ United States District Court for the District of North Dakota Western Division, Case 1:24-cv-00066-DMT-CRH, April 24, 2024, <https://subscriber.politicopro.com/eenews/f/eenews/?id=0000018f-16b2-da17-adbf-77b683c10000>.

³¹ Management and Protection of the National Petroleum Reserve in Alaska, 43 CFR 2360 (September 8, 2023), <https://www.govinfo.gov/content/pkg/FR-2023-09-08/pdf/2023-18990.pdf>.

³² Bureau of Land Management, Management and Protection of the National Petroleum Reserve in Alaska, May 7, 2024, <https://www.govinfo.gov/content/pkg/FR-2024-05-07/pdf/2024-08585.pdf>.

³³ 42 U.S.C. 6501.

³⁴ *Id.*

³⁵ Senator Dan Sullivan, Press Releases, “Delegation, Alaska Leaders: Biden Administration Puts American Energy Security at Risk; Harms the State and Alaska Native Communities,” September 6, 2023 <https://www.sullivan.senate.gov/newsroom/press-releases/delegation-alaska-leaders-biden-administration-puts-american-energy-security-at-riskharms-the-state-and-alaska-native-communities>. The VOICE of the Arctic Inupiat Resolution No. 2024-01, Opposing the Proposed Rule for the Management and Protection of the National Petroleum Reserve in Alaska, https://republicans-naturalresources.house.gov/UploadedFiles/VOICE_Resolution_2024-01.pdf

³⁶ <https://clerk.house.gov/evs/2024/roll174.xml>.

emissions by 2050.³⁷ Through the Renewable Energy Management Program, the BLM oversees the processing of rights-of-way (ROW) applications and leases for wind and solar energy, geothermal energy leasing and production, and transmission development. The budget request includes \$53.1 million for BLM’s onshore renewable energy program, which is \$12.1 million above the 2024 CR level.³⁸ The BLM’s increased request aims to help with the permitting process by hiring more staff. Still, it fails to include any meaningful legislative proposals to streamline permitting processes, like reforming the National Environmental Policy Act (NEPA), which continues to hamstring renewable energy development. House Republicans passed provisions in H.R. 1, the “Lower Energy Costs Act,” sponsored by Rep. Scalise, that would streamline the NEPA process for all forms of energy, including renewables.³⁹

The BLM furthered its bias for renewable energy through recent rulemakings. In May, BLM finalized its “Rights-of-Way, Leasing, and Operations for Renewable Energy” rule to update its procedures governing renewable energy and right-of-way programs. Title V of the Federal Land Policy and Management Act of 1976 (FLPMA) requires ROW grant holders and leaseholders to pay the “fair market value” for using public lands.⁴⁰ The fair market value is paid to BLM in the form of rental fees and megawatt capacity fees. The BLM’s final regulation would significantly reduce acreage rents and capacity fees by 80 percent for renewable energy sources on BLM land through 2035. BLM is citing the authority provided to the agency in the “Energy Act of 2020,” which allows BLM to “reduce acreage rental rates and capacity fees” to “promote the greatest use of wind and solar energy resources.”⁴¹

In January, BLM published its Draft Programmatic Environmental Impact Statement (PEIS) for Utility-Scale Solar Energy Development (Western Solar Plan) in the Federal Register.⁴² The Western Solar Plan amends the 2012 Western Solar Plan to include 11 western states (there were only 6 in the 2012 Plan) and identifies 22 million acres of land open for solar applications.⁴³ The proposed alternative has caused dissent among western Republicans, who believe it will limit the multiple uses of federal lands. Environmental special interest groups, on the other hand, argue that too much land is currently being made available for leasing. Additionally, the solar industry and the State of Nevada both disagree with the revisions, claiming that they are too restrictive and do not make enough land available for solar leasing.⁴⁴

³⁷ FY 2025 Bureau of Land Management Greenbook, Page V-90, <https://www.doi.gov/media/document/fy-2025-bureau-land-management-greenbook>.

³⁸ U.S Department of the Interior, FY2025 Budget in Briefs - Departmental Overview, <https://www.doi.gov/media/document/fy2025-budget-briefs-departmental-highlights>.

³⁹ H.R. 1, 118th Congress, <https://www.congress.gov/bill/118th-congress/house-bill/1>.

⁴⁰ 43 U.S.C. 1761-1772.

⁴¹ 43 U.S.C. 3003.

⁴² Bureau of Land Management, Notice of Availability of the Draft Programmatic Environmental Impact Statement for Utility-Scale Solar Energy Development and Notice of Public Meetings, January 19, 2024, <https://www.federalregister.gov/documents/2024/01/19/2024-00730/notice-of-availability-of-the-draft-programmatic-environmental-impact-statement-for-utility-scale>.

⁴³ *Id.*

⁴⁴ Senate Letter to Director Tracy Stone-Manning on the Western Solar Plan Revision, May 2, 2024, <https://subscriber.politicopro.com/eenews/f/eenews/?id=0000018f-39a5-d476-ab9f-b9a733e00000>. Climate, conservation, environmental justice, and tribal organizations letter to Secretary Haaland on the Western Solar Plan Revision, 4/18/24, https://www.wilderness.org/sites/default/files/media/file/Western%20Solar%20Plan%20NGO%20letter%20to%20Sec.%20Haaland_April%202024_2.pdf. Solar Industry Concerns on BLM Draft Solar PEIS and Director McClinton letter to Secretary Haaland on BLM Draft Solar PEIS, April 2, 2024, https://naturalresources.house.gov/uploadedfiles/solar_industry_concerns.pdf.

Hardrock Mining – While no recommendations for streamlining the permitting process for new hardrock mines are included in the budget request, DOI issued a report from the Interagency Working Group (IWG) on Mining Reform in September 2023.⁴⁵ Although the report aimed to identify recommendations to alleviate permitting delays, some suggestions—like imposing a royalty on production and shifting the mining claims system to a leasing system—would be detrimental to the hardrock mining industry.⁴⁶ On February 12, 2024, BLM posted a notice seeking comments on vague mine permitting metrics which were informed by the IWG report.⁴⁷ This notice was posted to BLM’s website instead of the Federal Register.

Despite the Biden administration’s acknowledgment that the U.S.’s “over-reliance on foreign sources and adversarial nations for critical minerals and materials [pose] national and economic security threats,” DOI continues to shutter domestic mineral development.⁴⁸ In January 2022, the Biden administration canceled Twin Metals Minnesota’s two-decades-old mineral leases and simultaneously began the withdrawal process of over 225,000 acres of mineral-rich land in the same area, effectively barring new extraction of minerals such as copper, nickel, cobalt, platinum, and iron ore.⁴⁹ In response, the House of Representatives passed H.R. 3195, the “Superior National Forest Restoration Act,” by a vote of 212-203 to reverse these counterproductive measures.⁵⁰

More recently, on April 19, 2024, BLM recommended the “no action” alternative in the Final Supplemental Environmental Impact Statement (EIS) for the Ambler Mining District Industrial Access Road (Ambler Road) in Alaska.⁵¹ BLM’s decision to refuse a ROW permit on the small section of the proposed 211-mile Ambler Road that crosses federal lands not only impedes access to an estimated \$7.5 billion in copper and other minerals such as zinc, cobalt, silver, and gold, it also hinders development that could bring Alaska over 65,000 jobs, \$5 billion in wages, and \$1.3 billion in state and local revenues.⁵² During a May 1, 2024, hearing before the full Committee, Secretary Haaland testified that DOI has “...approved 40 mining or mining modification permits since the President has been in office, that includes five critical mineral mines.”⁵³ However, she was unable to answer questions about which minerals these mines would extract, and DOI has yet to provide the Committee with requested, specific data on these actions.

⁴⁵ DOI, Press Release, Biden-Harris Administration Report Outlines Reforms Needed to Promote Responsible Mining on Public Lands, <https://www.doi.gov/pressreleases/biden-harris-administration-report-outlines-reforms-needed-promote-responsible-mining>.

⁴⁶ NMA, Press Release, IWG Recommendation on mining Unworkable and Unreasonable, <https://nma.org/2023/09/12/iwg-recommendations-on-mining-unworkable-and-unreasonable/>.

⁴⁷ BLM, Mining Performance Metrics, <https://www.blm.gov/programs/energy-and-minerals/mining-and-minerals/mining-performance-metrics>.

⁴⁸ White House, Press Release, FACT SHEET: Securing a Made in America Supply Chain for Critical Minerals, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/02/22/fact-sheet-securing-a-made-in-america-supply-chain-for-critical-minerals/>.

⁴⁹ DOI, Press Release, Biden Administration Takes Action to Complete Study of Boundary Waters Area Watershed, <https://www.doi.gov/pressreleases/biden-administration-takes-action-complete-study-boundary-waters-area-watershed>.

⁵⁰ <https://www.congress.gov/bill/118th-congress/house-bill/3195>.

⁵¹ DOI, Press Release, Biden-Harris Administration Takes Critical Action to Protect Alaska Native Subsistence, Lands and Wildlife, <https://www.doi.gov/pressreleases/biden-harris-administration-takes-critical-action-protect-alaska-native-subsistence>

⁵² Lisa Friedman, “Interior Said to Reject Industrial Road Through Alaskan Wilderness”, N.Y. Times, Apr. 18, 2024, <https://www.nytimes.com/2024/04/16/climate/ambler-road-alaska-interior.html>. DOI, Press Release, Trump Administration Supports Alaskan Infrastructure Development to Mine Critical Minerals, <https://www.doi.gov/pressreleases/trump-administration-supports-alaskan-infrastructure-development-mine-critical>.

⁵³ Examining the President’s FY 2025 Budget Request for the Department of the Interior: Hearing Before the Comm. On Natural Resources, 118th Cong. (2024) (testimony of Debra Haaland, Sec., Dep’t of the Interior).

Coal Leasing Program – While the June 2021 preliminary injunction applies specifically to the oil and gas leasing program, the administration continued its ban on coal leasing. On August 15, 2022, a federal judge fully reinstated the coal moratorium on new leasing.⁵⁴ In February 2024, the Ninth Circuit vacated this decision.⁵⁵ Despite the favorable ruling, DOI has failed to reverse course and resume proper review of expansion plans.⁵⁶

30x30 Initiative and Locking Up Lands – The Biden administration continues to conduct orchestrated attacks on public lands, using a variety of tools to further the 30x30 agenda. These preservationist policies limit access, hurt local economies, and remove uses of public lands that benefit Americans. The Biden budget continues to support the 30x30 Initiative, including through several references in the BLM budget.⁵⁷ On May 6, 2021, DOI and other federal departments released an “interim” report titled “Conserving and Restoring America the Beautiful,” which outlined a 10-year campaign to preserve 30 percent of U.S. lands and waters by 2030.⁵⁸ The administration proposed an American Conservation and Stewardship Atlas in this report. Nearly three years later, the administration finally published this Atlas, even though DOI has already been implementing 30x30 without clear goals or definitions and in whatever manner it considers to be convenient on any given day.⁵⁹ These measures continually threaten working lands, private landowners, and multiple uses of land.

President Biden has recently designated several new national monuments using authorities under the Antiquities Act of 1906.⁶⁰ Earlier this month, the President expanded a BLM-managed monument in California that DOI claimed would “advance” the goal of conserving 30 percent of lands and waters by 2030.⁶¹ DOI also claimed, without citation, that the administration has “conserved more than 41 million acres of lands and waters, putting President Biden on track to conserve more lands and waters than any President in history.”⁶² This follows a concerning trend indicating that the only lands the administration is counting towards its 30x30 goal are lands with the most restrictive designations, including national monuments and wilderness areas.

⁵⁴ Clark Mindock, “Judge reinstates Obama-era coal-leasing ban,” Reuters, August 15, 2022,

<https://www.reuters.com/legal/litigation/judge-reinstates-obama-era-coal-leasing-ban-2022-08-13/>.

⁵⁵ Hannah Northey and Niina Farah, “9th Circuit ruling axes Obama-era freeze on coal leasing”, E&E, Feb. 21, 2024,

<https://www.eenews.net/articles/9th-circuit-ruling-axes-obama-era-freeze-on-coal-leasing/#:~:text=The%20appellate%20court%20panel%20found,moratorium%20on%20new%20coal%20leasing.&text=A%20federal%20appellate%20court%20on,coal%20leases%20on%20public%20lands.>

⁵⁶ Hannah Northey, “Coal Company sues Interior over delayed leasing,” Mar. 7, 2024,

<https://subscriber.politicopro.com/article/eenews/2024/03/07/coal-company-sues-interior-over-delayed-leasing-00145339>.

⁵⁷ BLM, Budget Justification, FY 2025, <https://www.doi.gov/media/document/fy-2025-bureau-land-management-greenbook>.

⁵⁸ DOI, “Conserving and Restoring America the Beautiful,” 2021, <https://www.doi.gov/sites/doi.gov/files/report-conserving-and-restoring-america-the-beautiful-2021.pdf>.

⁵⁹ American Conservation and Stewardship Atlas, launched April 19, 2024, <https://www.conservation.gov/pages/atlas-and-data>.

⁶⁰ The White House, “Fact Sheet: President Biden Expands San Gabriel Mountains National Monument and Berryessa Snow Mountain National Monument”, May 2, 2024, <https://www.whitehouse.gov/briefing-room/statements-releases/2024/05/02/fact-sheet-president-biden-expands-san-gabriel-mountains-national-monument-and-berryessa-snow-mountain-national-monument/>.

⁶¹ DOI, “Secretary Haaland Celebrates President Biden’s Expansion of Berryessa Snow Mountain National Monument,” May 2, 2024, <https://www.doi.gov/pressreleases/secretary-haaland-celebrates-president-bidens-expansion-berryessa-snow-mountain>.

⁶² *Id.*

BLM Public Lands Rule – The BLM announced its final so-called “Conservation and Landscape Health” rule (Public Lands Rule) on April 18, 2024.⁶³ The Public Lands Rule will fundamentally upend the agency’s longstanding, statutory multiple use and sustained yield mandate and cede control of federal lands to wealthy elites and environmental extremists. The final rule, published on May 9, 2024, will broadly allow the BLM to lease lands under new and vaguely defined restoration and mitigation leases and change standards around land use decisions. If the administration determines uses authorized under FLPMA, such as grazing, energy production, mining, or recreation, are incompatible with a lease, land health standards, or an Area of Critical Environmental Concern (ACEC), those uses would not be allowed. They could be prohibited indefinitely from those lands. This would effectively lock up lands for multiple uses, including potential historic uses of the land. To prevent such abuses, Representative Curtis introduced H.R. 3397, the “Western Economic Security Today (WEST) Act” in May of 2023. The bill, which would prevent the BLM from implementing the final rule, passed the House of Representatives with a bipartisan vote on April 30, 2024.⁶⁴

Biden Border Crisis – President Biden’s policies continue exacerbating the southern border crisis. Some of the most dangerous areas along the U.S.-Mexico border are the estimated 693 miles of federal land, representing approximately 35 percent of the total 1,965 miles of the southern border.⁶⁵ Of this total, BLM managed 172.8 miles, or roughly 25 percent, of federal borderlands.⁶⁶ Although the federal government seeks to protect the ecological and recreational value of these lands, such areas are often targeted by criminals, drug smugglers, and human traffickers because they are remote, thinly populated, and less frequently patrolled.⁶⁷ The illegal dumping of trash and wildfires sparked by campfires from illegal border crossers threatens wildlife, destroy habitat, and deprive the public of access to federally owned lands.

Despite the increasing severity of the Biden Border Crisis, the word “border” appears just once in the entire 260-page DOI budget document, specifically with reference to a \$1 million investment in water infrastructure along the Texas border and a \$11 million *reduction* in requested funds for “Unites States/Mexico Border Issues – Technical Support.” In contrast, the word “climate” appears 128 times, and the word “justice” appears 33 times (usually in reference to racial and environmental justice).⁶⁸ Within the BLM budget, the word “border” only appears one time in the context of the southern border. The BLM’s only proposed increase for law enforcement along the southern border is \$250,000 to hire a Law Enforcement Mental Health and Wellness Coordinator.⁶⁹

⁶³ Public Lands Rule, Bureau of Land Management, accessed April 18, 2024, <https://www.blm.gov/sites/default/files/docs/2024-04/BLM-Conservation-Landscape-Health-Final-Rule.pdf>.

⁶⁴ U.S. House of Representatives, Clerk, Roll Call 165, Bill Number: H. R. 3397, <https://clerk.house.gov/Votes/2024165>.

⁶⁵ Note: This estimate ranges from 632 miles to 820 miles. Federal and Indian Lands on the U.S.-Mexico Border, Congressional Research Service, February 21, 2018, <https://www.crs.gov/Reports/IF10832>.

⁶⁶ *Id.*

⁶⁷ Statement of Brandon Judd on behalf of the National Border Patrol Council, Subcommittee on Oversight & Investigations Republican Forum: “The Biden Border Crisis: Environmental and Humanitarian Consequences”, May 27, 2021, https://naturalresources.house.gov/uploadedfiles/brandon_judd_testimony_biden_border_crisis_forum.pdf.

⁶⁸ DOI, Fiscal Year 2025 The Interior Budget in Brief, March 2024, <https://www.doi.gov/media/document/fy2025-508-bib-entire-document>.

⁶⁹ *Id.* Page V-140.

Forest and Rangeland Health – While the BLM’s budget proposes \$11.03 million for Public Domain Forest Management, an increase of \$276,000, most of this increase comes from rising fixed costs. The budget actually proposes a \$63,000 decrease in forest management, which “will result in slightly fewer acres treated” compared to FY 2023 and a reduction of 50,000 for seedlings re-planted.⁷⁰ Perhaps even more concerningly, the BLM budget proposes reducing timber outputs by 19 percent in Western Oregon “to focus on protection of mature and old-growth forests and improving forest health and fire resilience.”⁷¹ This exemplifies the misguided and unscientific approach the Biden administration has taken to managing old-growth forests. In fact, the administration’s own report on old-growth forests found that wildfire, insects, and diseases were the leading threats to old-growth forests, and “tree cutting” generally “improved or maintained” managed stands.⁷²

National Park Service

Overview – NPS manages 429 park units covering over 85 million acres in all 50 U.S. states and territories.⁷³ Unlike the BLM, which manages lands for multiple use, NPS manages units of the National Park System “to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”⁷⁴ NPS’s FY 2025 budget requests \$3.58 billion in discretionary funding, an increase of \$101.1 million over FY 2024 CR levels.⁷⁵ This will support an estimated 19,953 FTEs, an increase of 134 employees.

Deferred Maintenance Backlog – Deferred maintenance at sites and facilities throughout the National Park System has proven to be a perennial issue plaguing NPS despite unprecedented investments from the Great American Outdoors Act (GAOA). Four years after GAOA’s passage, the NPS backlog has inexplicably risen from \$12.7 billion in FY 2019 to \$23.3 billion at the end of FY 2023 (the most recent year for which data is available), a staggering \$10.6 billion increase.⁷⁶ Between FY 2022 and FY 2023, the backlog rose by nearly \$1 billion.⁷⁷

One of the most perplexing questions about NPS’s rising deferred maintenance backlog is the agency’s methodology to track and report deferred maintenance projects. Earlier this year, the DOI Inspector General testified before the subcommittee that:

NPS was unable to effectively identify and manage its deferred maintenance, in large part due to inaccurate and unreliable data. Furthermore, the NPS applied a blanket 35

⁷⁰ *Id.* Page V-45.

⁷¹ *Id.* Page VII-24.

⁷² U.S. Forest Service and Bureau of Land Management, “Analysis of Threats to Mature and Old-Growth Forests on Lands Managed by the Forest Service and Bureau of Land Management, January 2024, https://www.fs.usda.gov/sites/default/files/fs_media/fs_document/MOG-Threats-Intro.pdf.

⁷³ NPS, “About Us,” <https://www.nps.gov/aboutus/faqs.htm>.

⁷⁴ *Id.* Bureau Highlights, NPS-1.

⁷⁵ National Park Service, “Budget Justifications and Performance Information Fiscal Year 2025”, p. Overview-2, <https://www.doi.gov/sites/default/files/documents/2024-03/fy2025-508-nps-greenbook.pdf>.

⁷⁶ *Id.* p. SpecEx-2.

⁷⁷ *Id.*

*percent markup to its FY 2021 deferred maintenance, which resulted in a \$3.7 billion increase to the estimated costs of the NPS' deferred maintenance in just one year.*⁷⁸

In its FY 2025 budget justification, NPS stated that it “continued to transition assets to the new methodology,” although it is unclear when the methodology will fully be put into place.⁷⁹ If NPS continues to have unreliable and inconsistent data on its backlog, both the agency and Congress will be unable to appropriately address the issue or provide meaningful solutions.

For FY 2025, NPS listed 50 priority projects to receive the final round of GAOA funding.⁸⁰ Included in the priority project request was \$40 million in repairs for the Gateway National Recreation Area in New York, the same unit that the Biden administration is currently using to house thousands of illegal immigrants.⁸¹ It is unclear whether any of these funds will be used to construct or improve housing for illegal migrants or how much the misguided decision to use NPS facilities for migrant housing exacerbated any deferred maintenance issues. The priority project list also included \$45 million in repairs for the White House. Rather than focusing funding on crown jewels, the administration is once again spending tens of millions of taxpayer dollars in liberal, urban centers like Washington, D.C. Concerningly, the project list allocates more than \$97 million for the “Contingency Fund.” The Contingency Fund is designed to “address cost increases, unforeseen site conditions, and adapt project methods” in addition to supporting “successful completion of major [Legacy Restoration Fund (LRF)] projects that encounter challenges, ensuring projects are not delayed.”⁸² The \$97 million allocated for the Contingency Fund is higher than all other 50 projects on the priority list and represents 8 percent of the total amount for FY 2025 projects. Given the 35 percent markup NPS has already applied to each deferred maintenance project, it is concerning that the agency is overestimating and overinflating the cost of individual projects.

Facility Operation and Maintenance – One of the most concerning aspects of NPS’s budget is a \$25 million decrease in repair and rehabilitation projects in the Facility Operation and Maintenance account. Instead, this account proposes \$3.1 million for “Increasing Representation on Our Public Lands.”⁸³ Repair and rehabilitation projects are critical to “address complex repair needs that arise on an infrequent or non-recurring basis” and “halting or correcting deterioration where preventive maintenance is no longer sufficient to maintain the condition of the facility or infrastructure.”⁸⁴ By decreasing funding for these vital maintenance projects to “preserve funding for Administration priorities,” NPS is only ensuring that the deferred maintenance backlog will continue to grow.⁸⁵

⁷⁸ House Natural Resources Committee, Testimony Greenblatt,

https://naturalresources.house.gov/uploadedfiles/testimony_greenblatt.pdf.

⁷⁹ *Id.* https://www.doi.gov/sites/default/files/documents/2024-03/fy2025-508-nps-greenbook_2.pdf; SpecEx-1.

⁸⁰ U.S. Department of the Interior, “FY2025 National Parks and Public Land Legacy Restoration Fund – Appendix”,

<https://www.doi.gov/media/document/fy2025-national-parks-and-public-land-legacy-restoration-fund-appendix>.

⁸¹ https://naturalresources.house.gov/uploadedfiles/2024.04.18_hnr_letter_to_white_house_on_perez_fbf.pdf.

⁸² National Park Service, “Budget Justifications and Performance Information, Fiscal Year 2025,” p. LFR-7,

<https://www.doi.gov/sites/default/files/documents/2024-03/fy2025-508-nps-greenbook.pdf>.

⁸³ *Id.* ONPS-67.

⁸⁴ *Id.*

⁸⁵ *Id.*

Centennial Challenge – The budget proposes a \$2 million reduction for the Centennial Challenge Fund, a popular and successful public-private partnership that matches federal funding 1:1, at a minimum, with private donations. These projects “repair and modernize NPS infrastructure, expand recreational opportunities and access to the public, and develop new and improved educational and interpretive programs for visitors.”⁸⁶ The budget estimates that this reduction will result in eight fewer projects being completed nationwide. Once again, the budget justifies this decrease through the vague rationale of “preserv[ing] funding for Administration priorities.”⁸⁷ Reducing funding for the Centennial Challenge Fund will hamper efforts to increase access to our nation’s parks and reduce the deferred maintenance backlog.

Outdoor Recreation and Visitation – Visitation throughout the National Park System continues to rise as hundreds of millions of people across the globe travel annually to experience the unparalleled scenery that so many of our nation’s crown jewels have to offer. Visitation totaled over 325 million in 2023, marking the fourth year of consecutive growth.⁸⁸ Recreation visits are up 11 percent compared to the beginning of the decade.⁸⁹ In 2022, visitors spent \$23.9 billion in local gateway communities, supporting 378,000 jobs, \$29 billion in economic value added, and \$50.3 billion in total economic output.⁹⁰ Unfortunately, the FY 2025 budget proposal is largely silent on how NPS will work to maximize partnerships with rural gateway communities. Even more concerning, the budget proposes a \$9.0 million decrease in the National Recreation and Preservation account. Most of these cuts are to programs that assist local communities, including gateway communities that face significant challenges.

In contrast to this approach, Committee Republicans are committed to expanding access to outdoor recreation opportunities on our nation’s public lands. Chairman Westerman’s “Expanding Public Lands Outdoor Recreation Experiences (EXPLORE) Act” is bipartisan, bicameral legislation that streamlines permitting processes for small businesses, improves visitor experiences, and increases access and opportunities for recreation.⁹¹ The bill would also address the pressing needs of gateway communities, including overcrowding and a lack of affordable housing. It successfully passed the House last month by voice vote.

Biden Border Crisis – NPS manages approximately 195.1 miles along the Southern border, or 28 percent of federal borderland.⁹² This is the largest share of federal borderlands among all federal land management agencies. Despite this footprint, the NPS budget only proposes a paltry \$8,000 increase for the Southwest Border Resource Protection Program. The NPS budget admits border security is a prolific problem, with individual units “consistently experience[ing] serious resource damage due to illegal crossborder activities traversing the parks.”⁹³ The budget goes on to state that: “thousands of miles of unauthorized roads and trails have been created, major

⁸⁶ *Id.* CC-5.

⁸⁷ *Id.*

⁸⁸ National Park Service, “Visitation”, <https://www.nps.gov/aboutus/visitation-numbers.htm>.

⁸⁹ Congressional Research Service, “National Park Service (NPS)” Appropriations: Ten-Year Trends”, <https://sgp.fas.org/crs/misc/R42757.pdf>.

⁹⁰ National Park Service, “Budget Justifications and Performance Information, Fiscal Year 2025”, p. Overview-2, <https://www.doi.gov/sites/default/files/documents/2024-03/fy2025-508-nps-greenbook.pdf>.

⁹¹ H.R. 6492, EXPLORE Act, <https://www.congress.gov/bill/118th-congress/house-bill/6492>.

⁹² *Id.*

⁹³ *Id.* NRP-44.

ecological processes and the migration patterns of wildlife have been disrupted, important historic sites have been vandalized, and archeological sites have been looted.”⁹⁴

Housing – As housing costs continue to rise nationwide, finding affordable housing for NPS employees has become increasingly challenging. This burdens the agency’s recruitment efforts and makes it difficult to retain park staff. In March 2023, Director Sams testified before the House Appropriations Committee, highlighting the declining workforce at NPS.⁹⁵ The FY 2025 budget request only allocated \$9.0 million in new funding for additional employee housing while providing \$4.2 million for Zero Emission Vehicles.⁹⁶ Given the important implications of this issue for the agency's overall success, it is concerning that NPS is devoting millions of dollars to frivolous and inefficient climate goals rather than basic necessities for its employees.

⁹⁴ *Id.* NRP-44.

⁹⁵ Congressional Research Service, “FY2024 Appropriations”, <https://crsreports.congress.gov/product/pdf/IF/IF12436>.

⁹⁶ National Park Service, “Budget Justifications and Performance Information Fiscal Year 2025”, p. Overview-16.