

August 5, 2022

## Bureau of Land Management: FY2023 Appropriations

The Bureau of Land Management (BLM), in the Department of the Interior (DOI), manages 244 million acres of federal land, nearly all in the West. Under its multiple-use mission, BLM manages lands for diverse purposes, including livestock grazing, energy development, recreation, and conservation. The agency also administers onshore federal energy and mineral resources generally.

For FY2023, President Biden requested \$1,561.4 million for BLM—\$150.4 million (11%) more than the FY2022 enacted level of \$1,410.9 million (in P.L. 117-103, Division G). (This total and comparisons in this In Focus do not include FY2022 emergency supplemental appropriations of \$1.2 million in P.L. 117-43, to address certain natural disasters.) On July 1, 2022, the House Appropriations Committee reported H.R. 8262 (H.Rept. 117-400), with \$1,545.9 million for BLM for FY2023. On July 20, 2022, the House passed H.R. 8294, an omnibus appropriations measure with the same amount (in Division E), which would be \$135.0 million (10%) over the FY2022 enacted level. On July 28, 2022, the Senate Appropriations Committee Chair released a Senate Committee Majority Draft (SCMD) bill and draft explanatory statement with \$1,536.4 million for BLM for FY2023. On the same day, S. 4686 was introduced, reflecting the SCMD text. (Hereinafter, this In Focus refers to S. 4686 as introduced.) This would be \$125.5 million (9%) over the FY2022 enacted level and \$9.5 million (<1%) less than the House-passed level.

BLM discretionary appropriations are provided in Title I of Interior, Environment, and Related Agencies appropriations laws. BLM also receives a portion of the appropriations to DOI for wildland fire management. For further information, see CRS In Focus IF12142, *Funding for Wildfire Management: FY2023 Appropriations for Forest Service and Department of the Interior*. Mandatory (permanent) appropriations are provided to BLM under various statutes within the jurisdiction of authorizing committees. DOI estimated BLM mandatory appropriations at \$599.2 million for FY2023. This total does not include \$95.0 million for BLM deferred maintenance (DM, discussed below).

For FY2023, issues for Congress include determining the amount of funding to provide BLM accounts and activities and the terms and conditions of such funding, as well as whether to enact related Biden Administration proposals.

### Discretionary Appropriations Accounts

For each BLM discretionary funding account, **Table 1** shows FY2022 enacted amounts and FY2023 amounts requested by the Biden Administration, passed by the House, and included in S. 4686 as introduced.

**Management of Lands and Resources (MLR).** The largest account—MLR—funds diverse programs including rangelands, wild horses and burros, wildlife and aquatic habitat, recreation, energy and minerals, law enforcement, facility maintenance, and national conservation lands. This account also funds workforce and organizational support, including financial and information technology management. For FY2023, the Biden Administration, House, and S. 4686 supported varying increases over FY2022 for this account, of \$139.0 million (11%), \$127.2 million (10%), and \$114.1 million (9%) respectively.

The Biden Administration expressed that increases proposed for FY2023 were intended to support several goals. These goals include fostering conservation of 30% of the nation's lands and waters by 2030; addressing climate change, including through improvements in land health and resiliency and deployment of clean energy generation and transmission projects; and remediating and reclaiming abandoned wells and mine sites, to improve human health, safety, and the environment and to create jobs. (*Fiscal Year 2023, The Interior Budget in Brief*, p. BLM-1).

The Administration's request, House-passed bill, and S. 4686 seek to increase funding (by differing amounts in some cases) for most programs, including management of wild horses and burros, wildlife and aquatic habitat, energy and minerals, recreation, resource management planning, abandoned mines and hazardous materials, and national conservation lands. A few areas are highlighted below.

There are 82,384 wild horses and burros on BLM lands, more than triple the appropriate management level—the level that BLM determined the range can support—of 26,785. BLM manages an additional 58,517 animals off-range. For wild horse and burro management, the Administration requested \$153.1 million, the House approved \$156.1 million, and S. 4686 contained \$156.6 million. The FY2022 enacted level was \$137.1 million. Portions of the increases for FY2023 would be for administering fertility control, removing animals from the range, and caring for animals in long-term pasture facilities.

For wildlife and aquatic habitat management, the Administration and S. 4686 supported \$239.1 million, and the House approved \$229.8 million. The FY2022 enacted amount was \$197.7 million. Portions of the increases for FY2023 would be for addressing climate change, water quantity and quality, landscape connectivity and function, and adaptive management and for advancing the President's Civilian Climate Corps proposal, among other purposes.

For energy and minerals management, the Administration proposed \$249.9 million, the House approved \$242.2

million, and S. 4686 contained \$251.8 million. The FY2022 enacted level was \$216.5 million. Portions of the increases for FY2023 would be for developing renewable energy and managing oil and gas. Oil and gas management includes remediation of legacy wells in Alaska.

Not all MLR programs would receive increases for FY2023. For instance, funding for DM of BLM assets would decrease to \$32.0 million from the FY2022 enacted level of \$35.0 million under both the Administration's FY2023 request and S. 4686, though it would increase to \$35.2 million under the House-passed bill. However, under the Great American Outdoors Act (GAOA; P.L. 116-152), BLM receives mandatory appropriations for DM. (See below.)

The Administration's FY2023 request, the House-passed bill, and S. 4686 contained provisions related to MLR programs. For instance, one provision would prohibit funding for the destruction of healthy wild horses and burros or for sales of animals that result in processing into commercial products. Another provision would extend, to October 1, 2024, the authority in the Federal Lands Recreation Enhancement Act (16 U.S.C. §§6801 et seq.) for BLM (and other agencies) to charge, collect, and use fees for recreation on agency lands. For FY2023, BLM estimated \$28.0 million in recreation fee collections. A third provision would allow BLM to collect and retain new onshore oil and gas inspection fees to cover inspection costs, similar to offshore energy operations.

**Oregon and California Grant Lands.** This account funds management of more than 2 million acres of forested lands in Western Oregon, primarily for timber production. For FY2023, the Biden Administration and S. 4686 proposed \$128.7 million and the House approved \$125.0 million. The FY2022 appropriation was \$117.3 million for this account.

**Range Improvements.** The Range Improvements account funds rehabilitation, protection, and improvement of BLM rangelands. The FY2023 requested, House-passed, and S. 4686 amount was \$10.0 million, the same as the FY2022 enacted total. Under law, 50% of grazing fees collected on

BLM lands or \$10.0 million—whichever is greater—are credited to a Range Improvement Fund. Through the Range Improvements account, BLM typically receives an annual appropriation of \$10.0 million for the fund.

**Service Charges, Deposits, and Forfeitures.** This account allows BLM to use monies paid to the agency for certain activities, such as processing rights-of-way and energy and mineral authorizations. Appropriations for the account typically are offset entirely by collections, as proposed for FY2023 by the Administration, the House, and S. 4686.

**Miscellaneous Trust Funds.** This account appropriates contributions made to BLM (e.g., from individuals, businesses, and states). The FY2023 requested, House-passed, and S. 4686 level of \$26.0 million was equal to the FY2022 enacted appropriation.

## Selected Mandatory Appropriations

**Deferred Maintenance.** Under the GAOA, BLM receives mandatory appropriations for DM through the National Parks and Public Land Legacy Restoration Fund. BLM's mandatory appropriation is about \$95.0 million annually (assuming maximum revenue to the fund). For FY2023, the Administration, the House, and S. 4686 proposed allocations of mandatory funding among BLM projects. For context, BLM estimated its DM at \$4.4 billion in FY2021, about four times the FY2019 estimate (\$1.1 billion). The increase is largely due to changes in estimation methods.

**Land Acquisition.** BLM typically receives appropriations from the Land and Water Conservation Fund (LWCF) to acquire lands. Under the GAOA, BLM land acquisition (and other LWCF programs) receive mandatory appropriations. For FY2023, the Administration, the House, and S. 4686 proposed allocations of mandatory funding for BLM land acquisition. Overall, the Administration proposed \$70.9 million, the House supported \$70.2 million, and S. 4686 included \$63.6 million. The mandatory appropriation for FY2022 was \$67.4 million. FY2023 funding would support several specified projects; acquisitions that foster access to BLM lands for hunting, fishing, and other recreation; and other purposes.

**Table 1. BLM Discretionary Appropriations by Account** (dollars in millions)

Account	FY2022 Enacted	FY2023 Requested	FY2023 H.R. 8294 House Passed	FY2023 S. 4686 Introduced
Management of Lands and Resources	\$1,257.6	\$1,396.7	\$1,384.8	\$1,371.7
Oregon and California Grant Lands	117.3	128.7	125.0	128.7
Range Improvements	10.0	10.0	10.0	10.0
Service Charges, Deposits, and Forfeitures	0	0	0	0
Miscellaneous Trust Funds	26.0	26.0	26.0	26.0
<b>Total BLM</b>	<b>\$1,410.9</b>	<b>\$1,561.4</b>	<b>\$1,545.9</b>	<b>\$1,536.4</b>

**Source:** CRS, with information from the House and Senate Committees on Appropriations.

**Notes:** *The Interior Budget in Brief* for FY2023 shows a higher requested total largely due to differences in rescissions and offsetting collections. For Service Charges, Deposits, and Forfeitures, the \$0 amounts are a result of an appropriation matched by offsetting fees. On July 28, 2022, the Senate Appropriations Committee chair released the Senate Committee Majority Draft (SCMD). On the same day, S. 4686 was introduced reflecting the SCMD text. Column figures may not sum to totals shown due to rounding.

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