



U.S. Fish and Wildlife Service: FY2018 Appropriations

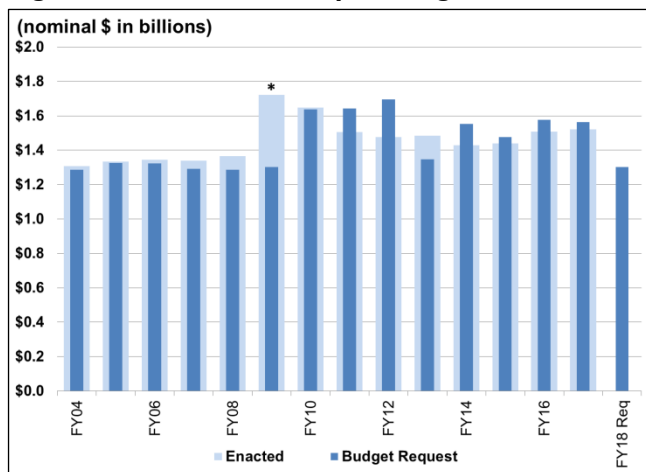
Congress generally funds the U.S. Fish and Wildlife Service (FWS, an agency within the Department of the Interior [DOI]) in Title I of annual appropriations laws for the Department of the Interior, Environment, and Related Agencies.

FWS appropriations fund the conservation, protection, and enhancement of fish, wildlife, and plants and their habitats. This is accomplished through various actions: resource management and conservation, construction projects, land acquisition, and payments and grants to states and other parties. In addition to discretionary appropriations, FWS receives mandatory appropriations, most of which are disbursed directly to states. In FY2018, \$1.46 billion was proposed for mandatory appropriations. Issues for Congress include the aggregate level of FWS funding and its distribution across the categories of activities, including proposed elimination of some activities. Congress also is considering certain FWS regulatory and policy issues as part of appropriations deliberations.

Introduction to FWS Discretionary Appropriations

Discretionary appropriations for FWS provide funding to carry out most of the agency’s essential functions. The relationship between budget requests and enacted levels has fluctuated in recent years (Figure 1).

Figure 1. FWS Discretionary Funding, FY2004-FY2018



Sources: Congressional Research Service (CRS), with data from FWS Budget Justifications and House Reports.

Notes: *FY2009 enacted amount included \$280 million through an emergency appropriation in P.L. 111-5.

FY2018 FWS Appropriations

In its budget request for discretionary appropriations in FY2018, the Trump Administration requested \$1.30 billion. H.R. 3354 (Department of the Interior, Environment, and

Related Agencies Appropriations Act, 2018), as reported, would appropriate \$1.48 billion. The enacted FY2017 appropriation was \$1.52 billion. The Resource Management (RM) account encompasses most of the appropriated funds (for FY2018, 88.37% of the budget request and 84.31% under H.R. 3354), with the balance included in eight accounts (Figure 2). The budget request would eliminate eight activities funded in FY2017 to provide for additional focus on existing responsibilities (Table 1). H.R. 3354 would provide funding for all accounts and all but one activity funded in FY2017, although in some cases at lower funding levels. No activities were proposed for elimination by both the Administration’s request and H.R. 3354.

Table 1. Proposed Activity Eliminations in FY2018: Budget Request and H.R. 3354 (nominal \$ in millions)

Activity (Account)	FY2017 Enacted
Cooperative Landscape Conservation (RM)	\$12.99
Science Support (RM)	16.99
Acquisitions (LA)	27.41
Highland Conservation Grants (LA)	10.00
Recreational Access (LA)	2.50
Land Acquisition (CESCF)	30.80
Payments in Lieu of Taxes (NWRP)	13.23
State Wildlife Grants (Competitive) (STWG)	6.36
Land Protection Planning (LA)	0.47

Source: H.Rept. 115-238, pp. 150-155.

Notes: Budget request in plain text; H.R. 3354 in bold. Account initials are shown in parentheses after each activity (RM = Resource Management; see Figure 2 for other accounts).

Resource Management

The RM account includes eight activities, including Ecological Services (within the account, the budget requested 19.6% of the RM total for this activity, whereas H.R. 3354 requested 19.0%), Habitat Conservation (5.0%; 5.4%), National Wildlife Refuge System (40.8%; 38.8%), Conservation and Enforcement (11.4%; 11.1%), Fish and Aquatic Conservation (11.9%; 12.8%), Cooperative Landscape Conservation (0%; 1.0%), Science Support (0%; 1.4%), and General Operations (11.3%; 10.5%).

The Ecological Services activity includes funding to carry out activities authorized in the Endangered Species Act of 1973 (ESA; 16 U.S.C. §1533). The report accompanying H.R. 3354 emphasizes that FWS should work closely with

states to carry out ESA activities and that ESA can affect economic growth and job creation.

Other activities in the RM account target the deferred maintenance backlog in the National Wildlife Refuge System; ongoing fish hatchery operations; and addressing wildlife trafficking to conserve wildlife, improve national security, and streamline the processing of lawful cargo.

The budget request would eliminate funding for the Cooperative Landscape Conservation and Science Support activities, which support non-regulatory conservation partnerships and conservation science, respectively. The budget request suggests moving many of the provided services to other sections of FWS. H.R. 3354 would fund both activities at the FY2017 enacted level, though with a shift in the sub-activity distribution within Science Support.

Construction and Land Acquisition

The Construction account funds engineering design, construction, and maintenance throughout FWS facilities and infrastructure through three activities: Line Item Construction Projects, Bridge and Dam Safety Programs, and Nationwide Engineering Service.

The Nationwide Engineering Service and Construction Projects activities are the same in both the budget request and H.R. 3354. Both are lower than the FY2017 enacted level. H.R. 3354 would fund Dam Safety Programs equal to the FY2017 enacted level (\$1.97 million), which is higher than in the budget request (\$1.23 million).

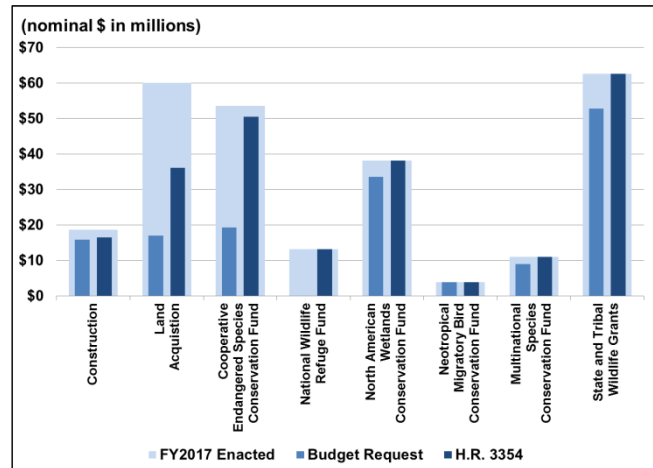
Funding for the Land Acquisition account is used to acquire land for recreation and conservation purposes. Proposed funding differs significantly between the budget request and H.R. 3354, both of which are below FY2017 enacted levels (**Figure 2**). The main difference is the Acquisition activity (Federal Refuges/Projects in the budget request). The budget request would eliminate funding, whereas H.R. 3354 would cut funding to 58.4% of the enacted level (\$27.41 million). The budget request would shift priority to existing responsibilities rather than new acquisitions.

The budget request would eliminate funding for Highlands Conservation Act (HCA) grants and Recreational Access activities. Proposals to eliminate HCA funding have been included in several past budget requests but never enacted. H.R. 3354 would fund these activities, although at a lower level for Recreational Access. The report accompanying H.R. 3354 references the benefits of public-private partnerships, such as HCA grants, to leverage federal funds.

Conservation Funds

The remaining six accounts are for funds related to FWS conservation and grant programs that support several grant, financial, and technical assistance programs to states, international partners, and other stakeholders. The budget request would eliminate three activities within these funds (**Table 1**); H.R. 3354 would provide funding at or near the FY2017 enacted level for all six accounts (**Figure 2**).

Figure 2. Recent Enacted and Proposed FWS Discretionary Appropriations by Account



Source: CRS, with data from H.Rept. 115-238, pp. 150-155.

Note: Resource Management account not included in figure.

Policy Issues

Several policy issues are addressed in the FWS budget request and H.R. 3354. The Federal Lands Recreation Enhancement Act (FLREA; 16 U.S.C. §6809) authorizes five agencies, including FWS, to collect and expend recreation fees. Authority for FLREA is set to expire at the end of FY2018. Both the budget request and H.R. 3354 acknowledge FLREA's sunset and provide language to delay its expiration. Section 416 in Title IV of H.R. 3354 would provide for a one-year extension of FLREA. The budget request supports permanent authorization but also includes a one-year extension as a precaution. Additionally, the budget request proposes providing access to the coastal plain of the Arctic National Wildlife Refuge (ANWR) to develop mineral resources, including oil (for more on ANWR, see CRS Report RL33872, *Arctic National Wildlife Refuge (ANWR): An Overview*) and asks for a language change to provide FWS with the authority to seek compensation from responsible parties that injure or destroy FWS resources. H.R. 3354 did not include the ANWR or compensation provisions.

Regulatory Issues

H.R. 3354 also contains several general provisions in Title I that affect FWS regulatory activities. Sections 113 and 117 would restrict funding for some ESA activities for the greater sage-grouse and the gray wolf, respectively. Section 116 would direct DOI to reissue the final rules designating and delisting the gray wolf Western Great Lake Distinct Population Segment (76 *Fed. Reg.* 81666 et seq.) and delisting the gray wolf in Wyoming (77 *Fed. Reg.* 55530 et seq.) and would make these rules exempt from judicial review.

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IF10724

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