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Bureau of Land Management: FY2019 Appropriations

The Bureau of Land Management (BLM) manages 246 million acres of land, nearly all in the West, under a multiple use mission. Uses of BLM land include livestock grazing, recreation, and preservation. The agency also administers onshore federal energy and mineral resources covering nearly 700 million acres of federal subsurface mineral estate, and it supervises the mineral operations on about 60 million acres of Indian trust lands.

Issues for Congress included determining the amount of funding to provide for BLM programs and activities for FY2019, the terms and conditions of such funding, and whether to enact related Trump Administration proposals.

Discretionary appropriations for BLM were enacted (P.L. 116-6, Division E) on February 15, 2019. The enacted appropriation was \$1,346.2 million, a \$14.3 million (1.1%) increase over the FY2018 appropriation of \$1,331.9 million. The FY2019 enacted amount also was an increase of \$322.9 million (31.6%) over the Administration's FY2019 request (\$1,023.3 million) and of \$2.8 million (0.2%) over the FY2019 Senate-passed level (\$1,343.4 million), but was \$40.8 million (2.9%) lower than the FY2019 House-passed amount (\$1,387.0 million). These House- and Senate-passed levels were contained in H.R. 6147 (115th Congress). (See **Table 1**.)

Because no regular FY2019 appropriations were enacted until February 15, 2019, BLM received continuing appropriations at the FY2018 level after the start of the fiscal year on October 1, 2018. However, continuing appropriations lapsed during part of the fiscal year, resulting in a partial agency shutdown between December 22, 2018, and January 25, 2019. During this time, BLM operated under a "contingency" plan.

BLM discretionary appropriations generally are provided in Title I of Interior, Environment, and Related Agencies appropriations laws. Mandatory (permanent) appropriations also are provided to BLM under various statutes within the jurisdiction of authorizing committees. For FY2019, BLM estimates its mandatory appropriations at \$241.2 million.

Appropriations Accounts

BLM discretionary appropriations are provided through several accounts. The Administration's FY2019 request for these accounts is shown in **Figure 1**. For each account, **Table 1** contains FY2018 enacted appropriations, and FY2019 appropriations requested by the Administration, passed by the House in H.R. 6147, passed by the Senate in H.R. 6147, and enacted in P.L. 116-6.

Management of Lands and Resources. The largest account—Management of Lands and Resources—comprised 89.1% of the request. This account funds an array of BLM programs, including energy and minerals, rangelands, wild horses and burros, wildlife and fisheries,

threatened and endangered species, recreation, resource protection, law enforcement, resource management planning, and facility maintenance.

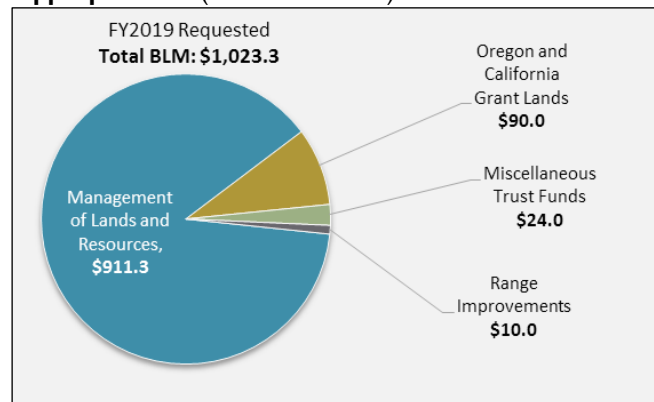
The Administration proposed a budget restructuring within the account to increase flexibility, cost savings, and program integration. Affected budget activities and subactivities included soil, water, and air; riparian areas; rangeland; threatened and endangered species; wildlife and fisheries; abandoned mine lands; and hazardous materials. The FY2019 enacted appropriation adopted this restructuring, as had the Senate, but not the House.

The FY2019 enacted appropriation, House, and Senate included more money for this account than requested for FY2019 and enacted for FY2018. The Administration had sought a decrease for this account and most of its activities.

For BLM's deferred maintenance of its assets, the FY2019 enacted appropriation was \$75.0 million, a \$4.2 million (5.3%) reduction from the FY2018 level of \$79.2 million. The House had supported a higher level for FY2019 (\$114.2 million), the Senate had approved a lower level (\$59.2 million), and the President had requested a lower level (\$24.9 million). BLM had estimated deferred maintenance of \$955.3 million as of September 30, 2018.

The President's request included \$5.9 million to support a Department of the Interior (DOI) reorganization to achieve common regional boundaries for DOI agencies and to transfer some BLM functions from headquarters to the field. The intent is to improve public service, efficiency, and communication. The conference report on the FY2019 appropriation (H.Rept. 116-9) identified a total of \$14.1 million for DOI reorganization related to five agencies, but did not specify the portion for BLM reorganization.

Figure 1. BLM FY2019 Administration-Requested Appropriations (dollars in millions)



Source: Prepared by CRS with information from the House Committee on Appropriations. Not shown are rescissions totaling \$12.1 million (including \$6.6 million from the Land Acquisition account), and a request of \$0 for Service Charges, Deposits, and Forfeitures due to a match by offsetting fees.

Land Acquisition. BLM typically receives appropriations from the Land and Water Conservation Fund to acquire lands. For FY2019, the enacted appropriation was \$26.5 million, a \$1.6 million (6.4%) increase over FY2018 (\$24.9 million). The FY2019 appropriation included funding for 14 specific acquisitions as well as acquisitions to foster recreation. The Administration did not seek funding for particular acquisitions or for access to BLM land for recreation, requesting -\$6.6 million (reflecting a rescission). The House approved \$17.4 million, including funds for recreational access generally but not individual acquisitions, pending additional information. The Senate included \$26.0 million, with portions for 11 individual projects and acquisitions benefitting recreational access.

Oregon and California Grant Lands. Oregon and California (O&C) Grant Lands constituted 8.8% of the request for FY2019. This account funds management of more than 2 million acres of forested lands in western Oregon, primarily for sustained yield of timber production. The FY2019 appropriation was \$107.0 million, essentially level with FY2018 and the House and Senate amounts for FY2019. The Administration had sought reduced funding (\$90.0 million). Also, the FY2019 appropriation did not accept an Administration proposal to consolidate funding for activities to enhance flexibility and program efficiency. The House, but not the Senate, had accepted the proposal.

Range Improvements. The Range Improvements account funds rehabilitation, protection, and improvement of BLM rangelands. Of the Administration's total request, 1.0% was for this purpose. For FY2019, the enacted amount was \$10.0 million, as requested by the President and approved by the House and Senate, and appropriated for FY2018.

Service Charges, Deposits, and Forfeitures. This account provides BLM monies received by the agency for varied purposes, such as costs of processing rights-of-way and energy and mineral authorizations. The FY2019 amounts enacted, requested, and passed by the House and Senate are offset by collections, making them \$0, as in FY2018.

Miscellaneous Trust Funds. This account appropriates the contributions (for various purposes) from individuals, businesses, user groups, and states. It comprised 2.3% of the FY2019 request. The FY2019 appropriation, request, House, and Senate contained funding level with FY2018 (\$24.0 million).

Legislative Proposals by the Administration

In the FY2019 request, the Trump Administration proposed extending or amending authorities through changes in law. Some of these proposals are discussed below.

Energy and Minerals. The request proposed changing the distribution of revenues from geothermal leasing on federal lands—currently 50% to the states, 25% to the Treasury, and 25% to counties—to a distribution of 50% for states and 50% for the Treasury. This change was not enacted in the FY2019 appropriations law.

Wild Horses and Burros. The Wild Free-Roaming Horses and Burros Act (16 U.S.C. §§1331 et seq.) provides BLM authority to destroy healthy, excess wild horses and burros. The FY2019 appropriations law continued to bar the use of funds for the destruction of healthy, unadopted BLM wild horses and burros and for the sale of animals for processing into commercial products. The House and Senate had approved this funding ban, but the Administration had proposed removing it to reduce the overpopulation of animals. Also, the FY2019 appropriation increased funding for wild horse and burro management, as had the House and Senate, but not the President. Further, the conference report on the FY2019 appropriation directed BLM to provide an analysis to Congress, within 180 days of enactment, of options to reduce excess wild horses and burros.

Recreation. The authority in the Federal Lands Recreation Enhancement Act (16 U.S.C. §§6801 et seq.) that allows BLM (and other agencies) to charge, collect, and use fees for recreation on agency lands had been scheduled to expire on September 30, 2019. The Administration, House, and Senate supported differing extensions. The FY2019 appropriations law extended the authority to October 1, 2020. (Earlier, P.L. 115-245 had extended the authority to September 30, 2020).

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

Account	FY2018 Enacted	FY2019 Request	House-Passed H.R. 6147	Senate-Passed H.R. 6147	FY2019 Enacted	% Change from FY2018
Management of Lands and Resources	\$1,166.0	\$911.3	\$1,228.6	\$1,176.8	\$1,178.7	1.1%
Land Acquisition	24.9	-6.6	17.4	26.0	26.5	6.4%
Oregon and California Grant Lands	107.0	90.0	107.0	106.5	107.0	0%
Range Improvements	10.0	10.0	10.0	10.0	10.0	0%
Service Charges, Deposits, & Forfeitures	0	0	0	0	0	0%
Miscellaneous Trust Funds	24.0	24.0	24.0	24.0	24.0	0%
Total BLM	\$1,331.9	\$1,023.3	\$1,387.0	\$1,343.4	\$1,346.2	1.1%

Source: Prepared by CRS with information from the House and Senate Committees on Appropriations.

Notes: The amounts of \$0 for Service Charges, Deposits, and Forfeitures are a result of an appropriation matched by offsetting fees. The FY2019 request total reflects a -\$5.5 million rescission of prior-year unobligated funds for construction not shown in the column.

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