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Bureau of Land Management: FY2020 Appropriations

The Bureau of Land Management (BLM) manages 246 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 preservation. The agency also administers onshore federal energy and mineral resources generally and supervises mineral operations on Indian trust lands.

For FY2020, issues for Congress included determining the amount of funding to provide BLM programs and activities and the terms and conditions of such funding, as well as whether to enact related Trump Administration proposals.

Because no regular FY2020 discretionary appropriations were enacted until after the start of the fiscal year on October 1, 2019, BLM initially received continuing appropriations at the FY2019 level. Regular appropriations of \$1,369.8 million were enacted on December 20, 2019 (P.L. 116-94, Division D). This was \$23.6 million (1.8%) more than the FY2019 amount of \$1,346.2 million. It also was \$182.4 million (15.4%) more than the Administration's FY2020 request (\$1,187.4 million) but \$42.0 million (3.0%) less than the FY2020 House-passed amount (\$1,411.8 million) and \$29.6 million (2.1%) less than the FY2020 Senate-passed amount (\$1,399.4 million). House- and Senate-passed levels were contained in H.R. 3055.

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 FY2020, BLM estimated its mandatory appropriations at \$201.3 million. This would be a decrease from the \$241.2 million estimated for FY2019, in large part due to an anticipated reduction in receipts from the sale of BLM lands in Nevada.

Appropriations Accounts

BLM discretionary appropriations are provided through several accounts. For each account, **Figure 1** shows the Administration's FY2020 request and **Table 1** contains amounts enacted for FY2019 and requested, House-passed, Senate-passed, and enacted amounts for FY2020.

Management of Lands and Resources. The largest account—Management of Lands and Resources—was 89% of the Administration's request. It funds diverse programs including energy and minerals, wild horses and burros, rangelands, wildlife and fisheries, facility maintenance, resource protection, law enforcement, and recreation.

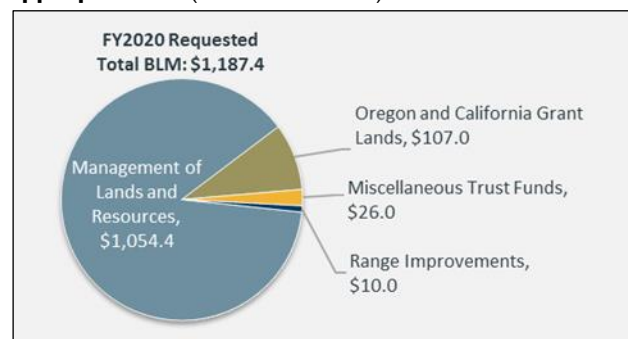
Overview. The FY2020 enacted appropriation included more money for this account than requested for FY2020 and enacted for FY2019 but less than approved by the House and Senate for FY2020. The Administration sought a decrease for many programs in this account, but the

FY2020 enacted appropriation generally included level or increased program funds relative to FY2019. Among other activities, increases were provided for management of wild horses and burros, renewable energy, wildlife habitat, and the National Landscape Conservation System.

The FY2020 appropriations law rescinded \$19.0 million in prior year unobligated funds. The House Appropriations Committee asserted that older unobligated funds are unlikely to be needed (H.Rept. 116-100, p. 13). Also, the law changed the availability of most funds in the account from "no-year" (available until expended) to "two-year," to minimize unobligated balances and better align with operation accounts of other agencies.

Reorganization. The BLM reorganization seeks to improve public service, communication, and efficiency. For FY2019, \$14.1 million was appropriated for Department of the Interior (DOI) reorganization, though the BLM portion was not specified. BLM requested \$7.7 million for FY2020 to foster common regional boundaries of agencies, transfer some headquarters functions outside DC, and integrate agencies' business operations. The FY2020 appropriations law did not make explicit whether funds were provided for BLM reorganization. The explanatory statement submitted for the *Congressional Record* asserted an insufficiency of information and directed DOI to brief the Appropriations Committees monthly on the status and impacts of the BLM reorganization. It further specified that guidelines on reprogramming of funds apply to reorganizations.

Figure 1. BLM FY2020 Administration-Requested Appropriations (dollars in millions)



Source: Prepared by CRS with information from the House Appropriations Committee. Not shown are rescissions for the Land Acquisition account (-\$10.0 million) and \$0 for Service Charges, Deposits, and Forfeitures due to a match by offsetting collections.

Land Acquisition. BLM typically receives appropriations from the Land and Water Conservation Fund to acquire lands. To focus on maintaining current BLM lands, the Administration's FY2020 request did not include funding for particular acquisition projects or acquisitions that generally facilitate access to BLM land for recreation. The

overall request was -\$10.0 million, reflecting a rescission of unobligated funds. The FY2020 appropriation was higher than the FY2019 enacted, FY2020 requested, and FY2020 Senate-passed levels but lower than the FY2020 House-passed amount. It included funding for eight individual acquisition projects and recreational access generally.

Oregon and California Grant Lands. Oregon and California Grant Lands constituted 9% of the request for FY2020. This account funds management of more than two million acres of forested lands in western Oregon, primarily for timber production. The FY2020 appropriation was higher than the FY2019 enacted, FY2020 requested, and FY2020 Senate-passed levels but lower than the FY2020 House-passed level. Neither the FY2020 law nor the House or Senate accepted an Administration proposal to consolidate funding for activities within the account.

Range Improvements. The Range Improvements account funds rehabilitation, protection, and improvement of BLM rangelands. Of the Administration's total request, 1% was for this purpose. The FY2020 appropriation was \$10.0 million, equal to FY2019 and the FY2020 requested and House and Senate levels.

Service Charges, Deposits, and Forfeitures. This account allows BLM to use monies paid to the agency for particular activities (e.g., processing rights-of-way). As was the case for FY2019, the FY2020 amounts proposed by the Administration, passed by the House and Senate, and enacted were offset by collections, making them \$0.

Miscellaneous Trust Funds. This account appropriates contributions made to BLM from individuals, businesses, user groups, and states. It comprised 2% of the FY2020 request. The FY2020 requested, House, Senate, and enacted levels were higher than FY2019.

Legislative Proposals by the Administration

In the FY2020 request, the Trump Administration proposed extending or amending some authorities and enacting new ones. Some of these proposals are discussed below.

Deferred Maintenance. BLM estimates its deferred maintenance at \$955.3 million, mostly for roads, bridges, and trails. The FY2020 appropriation (\$75.0 million) was level with FY2019 and the FY2020 Senate-passed level.

The Administration sought a reduction and the House approved an increase. The Administration also proposed establishing a Public Lands Infrastructure Fund with \$6.5 billion over five years, of which 5% would be for BLM deferred maintenance. This proposal has not been enacted.

Energy and Minerals. The FY2020 request proposed altering 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. According to the Administration, the change would foster consistency with other revenue-sharing programs and increase the return to the public. Some counties favor the status quo to reflect their energy investments and enhance funds for services. This change has not been enacted.

Recreation. The authority in the Federal Lands Recreation Enhancement Act (16 U.S.C. §§6801 et seq.), which allows BLM (and other agencies) to charge, collect, and use fees for recreation on agency lands, was to expire on September 30, 2020. The Administration supported permanent authority through authorizing legislation, while also seeking a two-year extension (through September 30, 2022) in appropriations law. The House and Senate supported a one-year extension, and the FY2020 appropriations law included a one-year extension through October 1, 2021.

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 and to sell without limitation excess animals meeting certain criteria. In practice, BLM generally sells animals with limits (e.g., a maximum per buyer). The FY2019 appropriations law barred the use of funds for destruction of healthy, unadopted BLM wild horses and burros and the sale of animals for processing into commercial products. In its FY2020 budget, the Administration proposed removing the funding ban and allowing sales without limitations to reduce the excess of wild horses. The FY2020 law, like the House- and Senate-passed bills, continued to bar funding for destroying healthy animals. Also, conferees directed BLM to submit a comprehensive plan for “an aggressive, non-lethal population control strategy” and conditioned the availability of \$21.0 million on submission of the plan.

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

Account	FY2019 Enacted	FY2020 Request	H. Passed H.R. 3055	S. Passed H.R. 3055	FY2020 Enacted	% Change from FY2019
Management of Lands and Resources	\$1,178.7	\$1,054.4	\$1,229.8	\$1,230.0	\$1,197.2	1.6%
Land Acquisition	26.5	-10.0	33.8	26.4	29.9	12.9%
Oregon and California Grant Lands	107.0	107.0	117.2	107.0	112.1	4.8%
Range Improvements	10.0	10.0	10.0	10.0	10.0	0%
Service Charges, Deposits, & Forfeitures ^a	0	0	0	0	0	n/a
Miscellaneous Trust Funds	24.0	26.0	26.0	26.0	26.0	8.3%
Total BLM	\$1,346.2	\$1,187.4	\$1,411.8^b	\$1,399.4	\$1,369.8^b	1.8%

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

Notes: n/a = not applicable.

a. The amounts of \$0 for Service Charges, Deposits, and Forfeitures are a result of an appropriation matched by offsetting fees.

b. FY2020 House and enacted totals reflect rescissions of \$5.0 million and \$5.4 million respectively of unobligated Construction funds.

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