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Bureau of Land Management: FY2021 Appropriations

The Bureau of Land Management (BLM) 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.

This In Focus pertains to discretionary appropriations for BLM, particularly appropriations under consideration for FY2021 in comparison with appropriations enacted for FY2020. For FY2021, the Trump Administration requested \$1,222.4 million for BLM. This would be a decrease of \$147.5 million (-11%) from the FY2020 appropriation of \$1,369.8 million (P.L. 116-94, Division D). The House-passed bill (H.R. 7608, Division C) would provide \$1,294.7 million for FY2021. This would be a decrease of \$75.1 million (-5%) from the FY2020 enacted level but \$72.4 million (6%) higher than the President's request.

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 FY2021, BLM estimated its mandatory appropriations at \$102.6 million. This would be a decrease from the \$298.7 million estimated for FY2020, largely due to an anticipated reduction in receipts from BLM land sales in Nevada and a proposal to cancel unobligated balances from prior sales.

For FY2021, 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 Trump Administration proposals.

Appropriations Accounts

BLM discretionary appropriations are provided through several accounts. For each account, **Table 1** shows amounts enacted for FY2020, requested by the Administration for FY2021, and passed by the House for FY2021.

Management of Lands and Resources. The largest account—Management of Lands and Resources—funds diverse programs including energy and minerals, wild horses and burros, rangelands, wildlife and fisheries, facility maintenance, resource protection, law enforcement, and recreation.

For FY2021, the Administration sought \$1,078.5 million for this account, a decrease of \$118.7 million (-10%) from FY2020 (\$1,197.2 million). H.R. 7608 contained \$1,165.1 million for the account, a decrease of \$32.1 million (3%) from FY2020. Both the FY2020 appropriation and H.R. 7608 contained general rescissions from unobligated prior-

year funds (of \$19.0 million and \$17.0 million, respectively), though the allocations among activities and programs are not readily available. For this reason, activity and program comparisons in this section exclude these general rescissions.

The Administration proposed various changes relative to FY2020 enacted levels. Decreases included deferred maintenance (DM) of transportation and facilities (-39%). (See “Deferred Maintenance,” below.) Some decreases were supported by the House in H.R. 7608, including reductions for resource management planning (-28%), management of abandoned minelands and hazardous materials (-28%), and administrative support (-12%), due to the completion of organizational changes to new, unified DOI regions, according to BLM. Other decreases proposed by the Administration were not supported by the House, such as rangeland management (-11%) and wildlife and aquatic habitat management (-38%), for activities pertaining to threatened and endangered species, habitat restoration, and sagebrush conservation, among others.

The Administration's FY2021 request contained additional funds for some programs, including wild horse and burro management (+15%). The Wild Free-Roaming Horses and Burros Act of 1971 (16 U.S.C. §§ 1331 et seq.) provides for management and protection of wild horses and burros on BLM (and Forest Service) lands. As of March 2020, the number of wild horses and burros on BLM land was 95,114, more than triple the appropriate management level (26,770). Another 47,725 animals were being cared for off-range in pastures and corrals as of May 2020. The Administration sought appropriations to care for animals off-range, pursue sales and adoptions, and expand methods of population control, among other activities. The House supported a smaller increase (+1%). In report language, the House Appropriations Committee indicated that it is seeking a “well-defined action plan” for BLM management of wild horses and burros (H.Rept. 116-448, p. 12).

The Administration also proposed additional funds for coal management (+19%) to improve coal leasing, permitting, and inspections. The House did not support the increase. Appropriations for cadastral, lands, and realty management would increase (+7%) under both the request and H.R. 7608. The additional funding for this program—which performs cadastral surveys, manages rights-of-way, and implements changes to land ownership—was intended to facilitate broadband infrastructure on BLM lands.

Land Acquisition. BLM typically receives appropriations from the Land and Water Conservation Fund (LWCF) to acquire lands. To focus on maintaining current BLM lands, the Administration's FY2021 request did not include

funding for particular acquisition projects. The Administration requested \$3.0 million for acquisitions that generally facilitate access to BLM land for recreation. The overall request was -\$5.0 million, reflecting a rescission of unobligated funds. The FY2020 appropriation (\$29.9 million) provided funding for eight individual acquisition projects and recreational access generally. H.R. 7608 did not contain land acquisition funding, with the expectation of mandatory funding (from the LWCF) under the Great American Outdoors Act (GAOA; P.L. 116-152). The bill included a rescission of \$2.0 million in prior-year funds.

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 FY2021, the Administration and the House sought differing increases over the FY2020 appropriation of \$112.1 million, as shown in **Table 1**. In report language, the House Appropriations Committee expressed concern about disparities in timber targets and timber awarded and harvested in some areas (H.Rept. 116-448, p. 16).

Range Improvements. The Range Improvements account funds rehabilitation, protection, and improvement of BLM rangelands. The FY2021 requested and House-passed level was \$10.0 million, the same as the FY2020 enacted level. 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 particular activities, such as costs of processing rights-of-way and energy and mineral authorizations. The FY2021 amount proposed by the Administration and passed by the House was offset entirely by collections, as was the case for the FY2020 enacted amount. H.R. 7608 also included a rescission of \$20.0 million in unobligated funds from FY2015 and earlier fiscal years.

Miscellaneous Trust Funds. This account appropriates contributions made to BLM from individuals, businesses, user groups, and states. The FY2021 requested and House-passed level of \$26.0 million was equal to the FY2020 enacted appropriation.

Legislative Proposals by the Administration

In the FY2021 request, the Trump Administration proposed extending or amending some authorities and enacting new ones. Some of these proposals are discussed below.

Deferred Maintenance. BLM estimated its DM at \$955.3 million in FY2018, mostly for roads, bridges, and trails. The Administration sought \$45.5 million for BLM's DM needs in FY2021, and the House-passed bill included \$60.5 million, both less than the \$75.0 million appropriated for FY2020. However, the Administration also proposed establishing a new fund with mandatory appropriations for DM of BLM and other agencies. Subsequently, the GAOA established such a fund, beginning in FY2021.

Energy and Minerals. The FY2021 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. The House-passed bill did not include this change.

Recreation. The authority in the Federal Lands Recreation Enhancement Act (FLREA, 16 U.S.C. §§6801 et seq.), which allows BLM (and other agencies) to charge, collect, and use fees for recreation on agency lands, is set to expire on October 1, 2021. As part of the FY2021 budget request, the Administration supported permanent authority through authorizing legislation, while also seeking a two-year extension (to September 30, 2023) in appropriations law. H.R. 7608 included a one-year program extension (to October 1, 2022). In FY2019, BLM retained \$27.2 million in recreation fee collections under FLREA.

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

Account	FY2020 Enacted	FY2021 Request	FY2021 House Passed
Management of Lands and Resources	\$1,197.2	\$1,078.5	\$1,165.1
Land Acquisition	29.9	-5.0	-2.0
Oregon and California Grant Lands	112.1	112.8	115.6
Range Improvements	10.0	10.0	10.0
Service Charges, Deposits, and Forfeitures ^a	0	0	-20.0
Miscellaneous Trust Funds	26.0	26.0	26.0
Total BLM	\$1,369.8^b	\$1,222.4	\$1,294.7

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

Notes: n/a = not applicable. Components may not sum to totals due to rounding.

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

b. FY2020 enacted total reflects rescissions of \$5.4 million of unobligated Construction funds not shown in table.

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