

Appropriation: Miscellaneous Permanent Payment Appropriations

APPROPRIATION LANGUAGE SHEET

The Permanent Payment Accounts provide for sharing of specified receipts collected from the sale, lease, or use of the public lands and resources with states and counties. They do not require annual appropriations action by the Congress. Amounts are estimated based on anticipated collections, or in some cases, based upon provisions required by permanent legislation. BLM distributes these funds in accordance with the provisions of the various laws that specify the percentages to be paid to the applicable recipient jurisdictions and, in some cases, how the states and counties must use these funds. These payments are made subject to the authorities of permanent law, and the amounts are made available by operation of permanent laws.

The amount of the payments shown for each year is the total payment applicable to the fiscal year in which the receipts are collected, without regard as to the timing of the actual disbursement of funds to the recipients.

A legislative proposal is being submitted with this budget request that would make certain payments to States and counties, including Coos and Douglas Counties, and Oregon and California grant land counties, permanent and not based on timber receipts or formulas established in the Omnibus Budget Reconciliation Act of 1993.

AUTHORIZATIONS

65 Stat.252	The State of Oklahoma is paid 37 ½ percent of the Red River oil and gas royalties in lieu of State and local taxes on Kiowa, Comanche, and Apache Tribal lands, to be used for construction and maintenance of public roads and support of public schools. (65 Stat. 252).
52 Stat. 75-754 (4 U.S.C. 1181f-1)	In accordance with, payments in lieu of taxes are made to Coos County and Douglas County, Oregon, out of receipts from the reconveyed Coos Bay Wagon Road Grant Land.
30 U.S.C. 191, 286; 95 Stat. 12051	Mineral leasing receipts are collected from the leasing of public land (including bonuses, royalties and rents) for exploration of oil and gas, coal, oil shale and other minerals. The amount charged is dependent on the type of mineral.
Department of the Interior and Related Agencies Appropriations Act of 1952 (65 Stat. 252)	States are paid 5 percent of the net proceeds (4 percent of gross proceeds) from the sale of public land and public land products.
Taylor Grazing Act of 1934 (43 U.S.C. 315 b, i and m)	States are paid 12½ percent of the grazing fee receipts from lands within organized grazing district boundaries; states are paid 50 percent of the grazing fee receipts from public land outside of organized grazing districts; states are paid specifically determined amounts from grazing fee and mineral receipts from miscellaneous lands within grazing districts that are administered under certain cooperative agreements which stipulate that the fees be retained by the BLM for distribution.
94 Stat. 1964 (42 U.S.C. 6508)	Alaska is paid 50 percent of the receipts from sales, bonuses, royalties, and rentals resulting from oil and gas leasing in the National Petroleum Reserve in Alaska (NPR-A).
7 U.S.C. 1012, the Bankhead Jones Farm Tenant Act of 1937, and Executive Orders 107878 and 10890, which transferred the management of certain Farm Tenant Act-Land Utilization (LU) Project lands to the jurisdiction of the Department of the Interior	25 percent of the revenues received from the use of these LU projects lands, including grazing and mineral leasing, are paid to the counties in which such lands are located.
Public Law 96-586 of 1980 (the Burton-Santini Act), and P.L. 105-263	Authorizes and directs the sale of up to 700 acres per year of certain lands in Clark County, Nevada, and the acquisition of environmentally sensitive lands in the Lake Tahoe Basin, and authorizes under P.L. 105-263, which allows 15% of sales to be distributed to Nevada and Clark county.

Public Law 105-263	Authorizes the disposal through sale of approximately 27,000 acres in Clark City Nevada, the proceeds of which are to be distributed as follows: (a) 5% for use in the general education program of the State of Nevada (b) 10% for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada and (c) The remaining 85% to be used to acquire environmentally sensitive lands in Nevada, capital improvements to areas administered by NPS, FWS and BLM in Clark County, Nevada, development of multispecies habitat plan in Clark County, Nevada; development of parks, trails and natural areas in Clark County, Nevada; and reimbursements of BLM costs incurred arranging sales and exchanges under this Act.
The Alaska Native Claims Settlement Act of 1971 as amended by Public Law 94-204 of 1976 (43 U.S.C. 1611)	Directs the Secretary to make conveyances to Cook Inlet Region, Inc. (CIRI) in accordance with the "Terms and Conditions for Land Consolidation and Management in Cook Inlet Area."
The Alaska National Interest Lands Conservation Act of 1980 (43 U.S.C. 1611)	Authorizes CIRI to bid on surplus property in accordance with the <i>Federal Property and Administrative Services Act of 1940 (40 U.S.C. 484)</i> , and provided for the establishment of a CIRI surplus property account by the Secretary of the Treasury.
The Alaska Railroad Transfer Act of 1982 (43 U.S.C. 1611)	Expands the account by allowing CIRI to bid on properties anywhere in the United States.
The 1988 Department of Defense Appropriations Act (101 Stat. 1329- 318)	Authorizes CIRI to bid at any public sale of property by any agent of the United States including the Department of the Defense.
The 1990 Department of Defense Appropriation Act (16 U.S.C 396f)	Appropriated monies to be placed into the CIRI Property Account in the U.S. Treasury, as permanent budget authority.
The Omnibus Budget Reconciliation Act of 1993, (P.L. 103-66)	A new formula was established for determining what percentage of the Oregon and California (O&C) Grant land funds are paid to the counties in which the lands are situated.
P.L. 102-172	Authorizes land exchanges with Calista Corporation, a Native corporation authorized under the laws of the State of Alaska
Alaska Land Status Technical Corrections Act of 1992 (P.L. 102-415)	Authorizes payments to the Haida and Gold Creek Corporations to reimburse them for claims in earlier land settlements.
Utah School Land Exchange (P.L. 103-93, and P.L. 105-335)	Authorizes the Secretary of Interior to make a \$50,000,000 payment to Utah as part of an exchange of lands as authorized under those acts.

SUMMARY OF REQUIREMENTS

(thousands of dollars)

Comparison by Activity/ Subactivity	1999 Actual		2000 Estimate		Uncontrol- lable & Related Changes (+/-)		Program Changes (+/-)		2001 Budget Requests		Inc(+) Dec(-) from 2000	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Miscellaneous Permanent Payment Approp.	0	119,166	0	73,629	0	0	0	+10,354	0	83,983	0	+10,354
Payments to Oklahoma	0	3	0	12	0	0	0	0	0	12	0	0
Payments to Coos & Douglas Counties, OR from receipts, Coos Bay Wagon Road Grant Lands (P.L. 103-66)	0	515	0	493	0	0	0	-22	0	471	0	-22
Payments to States:												
Proceeds of sales	0	982	0	1,023	0	0	0	+6	0	1,029	0	+6
From grazing fees, etc. public lands outside grazing districts	0	934	0	930	0	0	0	0	0	930	0	0
From grazing fees, etc. public lands within districts	0	1,447	0	1,463	0	0	0	0	0	1,463	0	0
From grazing fees, etc. public lands within grazing districts - misc.	0	2	0	8	0	0	0	0	0	8	0	0
Payments to counties, National Grasslands (Farm Tenant Lands)	0	530	0	400	0	0	0	0	0	400	0	0
Payments to Nevada from receipts on land sales (Includes 15%)	0	35	0	2,355	0	0	0	+2,145	0	4,500	0	+2,145
Payments to Timber Counties (Legislative Proposal)	0	0	0	0	0	0	0	+11,000	0	11,000	0	+11,000
Cook Inlet Region	0	0	0	0	0	0	0	0	0	0	0	0
Haida Corporation Account	0	0	0	0	0	0	0	0	0	0	0	0
Calista Property Account	0	0	0	5,000	0	0	0	0	0	5,000	0	0
Payments to Western Oregon Counties (P.L. 103-66)	0	64,718	0	61,945	0	0	0	-2,775	0	59,170	0	-2,775
Alaska, National Petroleum Reserve	0	0	0	0	0	0	0	0	0	0	0	0
Utah School Land Exchange (P.L. 103-93 and P.L. 105-335)	0	50,000	0	0	0	0	0	0	0	0	0	0

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Activity Summary (000's)

Activity	1999 Actual	2000 Enacted to Date	Uncontrollable & Related Charges (+/-)	Program Changes (+/-)	2001 Budget Request	Change From 2000 (+/-)
Payments to Oklahoma	\$ 3	12	0	0	12	0
<i>FTE</i>	0	0	0	0	0	0
Payments to Coos and Douglas Counties, Oregon, for Coos Bay Wagon Road Grant Lands (P.L. 103-66)	\$ 515	493	0	-22	471	-22
<i>FTE</i>	0	0	0	0	0	0
Payments to Western Oregon Counties (P.L. 103-66)	\$ 64,718	61,945	0	-2,775	59,170	-2,775
<i>FTE</i>	0	0	0	0	0	0
Payments to State (Proceeds of Sales)	\$ 982	1,023	0	+6	1,029	+6
<i>FTE</i>	0	0	0	0	0	0
Payments to States from Grazing Receipts, etc., Public Lands Within Grazing Districts	\$ 1,447	1,463	0	0	1,463	0
<i>FTE</i>	0	0	0	0	0	0
Payments to States from Grazing Receipts, etc., Public Lands Outside Grazing Districts	\$ 934	930	0	0	930	0
<i>FTE</i>	0	0	0	0	0	0
Payments to States from Grazing Receipts, etc., Public Lands Within Grazing District, Miscellaneous	\$ 2	8	0	0	8	0
<i>FTE</i>	0	0	0	0	0	0

Payments to Alaska, National Petroleum Reserve\$	0	0	0	0	0	0
<i>FTE</i>	0	0	0	0	0	0
Payments to Counties, National Grasslands (Farm Tenant Act Lands) \$	530	400	0	0	400	0
<i>FTE</i>	0	0	0	0	0	0
Payments to Nevada from Receipts on Land Sales(Including new P.L. 105-263. 15% State & Water Authority) \$	35	2,355	0	+2,145	4,500	+2,145
<i>FTE</i>	0	0	0	0	0	0
Payments to Timber Counties (Legislative Proposal) \$	0	0	0	+11,000	11,000	+11,000
<i>FTE</i>	0	0	0	0	0	0
Cook Inlet Region, Inc. (CIRI) Property Account \$	0	0	0	0	0	0
<i>FTE</i>	0	0	0	0	0	0
Haida Property Account* \$	0	0	0	0	0	0
<i>FTE</i>	0	0	0	0	0	0
Calista Property Account *\$	0	5,000	0	0	5,000	0
<i>FTE</i>	0	0	0	0	0	0
Utah School Lands Exchange \$	50,000	0	0	0	0	0
<i>FTE</i>	0	0	0	0	0	0
Total Dollars	119,166	73,629	0	+10,354	83,983	+10,354
<i>Total FTE</i>	0	0	0	0	0	0

*These are Alaska Native Corporations, organized pursuant to the *Alaska Native Claims Settlement Act of 1971 (ANSCA) P.L. 23-203*, as amended, may opt for the cash valuation of their (ANSCA) lands. The cash valuation of the lands are or will be warranted into an account established within the Department of the Treasury. Funds are appropriated from the General Fund of the Treasury. Amounts listed are not payments but the cash valuation warranted into the Treasury accounts. Calista does not have a final valuation at this time, but an estimated valuation has been included for planning purposes.

2001 PROGRAM OVERVIEW

Activity: Payments to Oklahoma

- C The State of Oklahoma is paid 37 ½ percent of the Red River oil and gas royalties in lieu of State and local taxes on Kiowa, Comanche, and Apache Tribal lands, to be used for construction and maintenance of public roads and support of public schools. (65 Stat. 252).
- C Payments are made biannually.

Activity: Payments to Coos and Douglas Counties, Ore., from Receipts, Coos Bay/Wagon Road Lands

- C Under provisions of the Omnibus Budget Reconciliation Act of 1993, Coos and Douglas Counties receive payments under established formulas related to values of past timber sales for schools, roads, highways, bridges, and port districts.
- C Annual payments are used by 18 Western Counties including Coos and Douglas Counties.

Activity: Payments to Western Oregon Counties

- C The Administration proposes to make permanent the authorization and funding for payments to Coos and Douglas counties and the Oregon and California grant land counties. Under this proposal counties in western Oregon will receive an annual payment equal to the 1997 payment established in the Omnibus Budget Reconciliation Act of 1993 (highlighted in the table on the following page).
- C Under provisions of the Omnibus Budget Reconciliation Act of 1993, counties in Western Oregon receive payments under established formulas related to values of past timber sales.
- C Annual payments are appropriated from the U.S. Treasury general fund and not derived from BLM, Oregon and California and Coos Bay Wagon Road Receipts.
- C Oregon & California Counties will receive the Special Payment amount (See Table) in 1994-1999.

Special Payment Amount (Omnibus Budget Reconciliation Act of 1993)

(thousands of dollars)

Fiscal Year	O&C Land	CBWR Lands	Total Payments
1994	\$78,586	\$625	\$79,211
1995	\$75,812	\$603	\$76,415
1996	\$73,039	\$581	\$73,620
1997	\$70,265	\$559	\$70,824
1998	\$67,491	\$537	\$68,028
1999	\$64,718	\$515	\$65,233
2000	\$61,944	\$493	\$62,437
2001	\$59,170	\$470	\$59,640
2002	\$56,397	\$448	\$56,845
2003	\$53,624	\$426	\$54,050

Activity: Mineral Leasing Act

- C Mineral leasing receipts are collected from the leasing of public land (including bonuses, royalties and rents) and for exploration of oil and gas, coal, oil shale and other minerals.
- C In 1995 the Minerals Management Service began and continues to collect and distribute most mineral leasing receipts.
- C BLM collects first year rentals and initial bonuses from mineral leasing, but deposits these receipts directly into a Mineral Management Service Account.
- C Payments are made to states based on receipts collected from mineral leasing on public land, state selected land, and acquired land administered under the *Mineral Leasing Act*.

Activity: Payments to States (proceeds of sales)

- C The States are paid 5 percent of the net proceeds from sale of public land and public land products (31 U.S.C. 1305).
- C These payments are used for educational purposes, or for construction and improvement of public roads.
- C Payments are made on an annual basis.

Activity: Payments to States from Grazing Receipts, etc., Public Lands Within Grazing Districts

- C The States are paid 12 ½ percent of grazing receipts from public lands inside grazing districts (43 U.S.C. 315b, 315i).,
- C These funds are to be expended by the state for the benefit of the counties in which the lands are located.
- C Payments are made annually.

Activity: Payments to States from Grazing Receipts, etc., Public Lands Outside Grazing Districts

- C The States are paid 50 percent of the grazing receipts from public lands outside of grazing districts (43 U.S.C. 315i, 315m).
- C These funds are to be extended by the state for the benefit of the counties in which the lands are located.
- C The states will continue to receive receipts from public land outside of organized grazing districts.
- C Payments are made annually.

Activity: Payments to States from Grazing Receipts, etc., Public Lands Within Grazing Districts, Miscellaneous

- C The States are paid specifically determined amounts from grazing receipts derived from miscellaneous lands within grazing districts when payment is not feasible on a percentage basis (43 U.S.C. 315).
- C These funds are to be extended by the state for the benefit of the counties in which the lands are located.
- C Payments are made annually.

Activity: Payments to Alaska, National Petroleum Reserve

- C Funds are for planning, constructing, maintaining, and operating essential public facilities, and other necessary provisions of public service.
- C Payments are made biannually for the previous six months' collections.

Activity: Payments to Counties, National Grasslands (Farm Tenant Act Lands)

- C Of the revenues received from the use of Bankhead-Jones Act lands administered by the Bureau of Land Management, 25 percent is paid to the counties in which such lands are situated, for school and road purposes (7 U.S. C. 1012).
- C Funds are paid to counties which have *Farm Tenant Act* Lands, under BLM management, within their boundaries.
- C Funds are used for roads and schools.
- C Payments are made annually on a calendar year.

Activity: Payments to Nevada from Receipts on Land Sales

- C (A) Public Law 96-586 authorizes and directs the Secretary to sell not more than 700 acres of public lands per calendar year in and around Las Vegas, Nevada, the proceeds of which are to be used to acquire environmentally sensitive land in the Lake Tahoe Basin of California and Nevada. Annual revenues are distributed to the State of Nevada (5 percent) and the county in which the land is located (10 percent).

(B) Public Law 105-263 authorizes the disposal through sale of approximately 27,000 acres in Clark City Nevada, the proceeds of which are to be distributed as follows: (a) 5% for use in the general education program of the State of Nevada (b) 10% for use by Southern Nevada Water Authority for water treatment and transmission facility infrastructure in Clark County, Nevada and (c) The remaining 85% to be used to acquire environmentally sensitive lands in Nevada, capital improvements to areas administered by NPS, FWS and BLM in Clark County, Nevada, development of multispecies habitat plan in Clark County, Nevada; development of parks, trails or natural areas in Clark County, Nevada; and reimbursements of BLM costs incurred arranging sales and exchanges under this Act.
- C Payments are made annually on a calendar year basis.

Activity: Payments to States from Timber Receipts

- The Administration proposes to make permanent the authorization and funding for payments to states from receipts generated by timber harvested on public domain lands. Under this proposal, states having public domain forest lands will receive an annual payment equal to the 1997 payment level.

Activity: Cook Inlet Region, Inc. (CIRI) Property Account

- C This account received funding appropriated by section 9102 of the fiscal year 1990 Department of Defense Appropriations Act for the acquisition of Federal real properties, improvements on such lands or rights to their use or exploitation, and any personal property related to the land purchased by the Cook Inlet Region, Incorporated as authorized by the provisions of section 12(b) of Public Law 94-204 (43 U.S.C. 1611). Funds are made available to the Bureau of Land Management for administration and subsequent payment to

accounts accepting Cook Inlet Region, Incorporated offers for Federal properties.

- C Several statutes have granted authorities to various Native corporations and the State of Alaska to select parcels of Federal land in Alaska. *The Alaska Native Claims Settlement Act (ANCSA) of 1971* authorized Native corporations to select 44 million acres of land.
- C Native corporations, which were established by *ANCSA* to handle money and lands granted to Alaska Natives, wanted land that could be developed for the economic benefit of Alaska Natives, as well as for home lands where Native peoples have historically lived, hunted, and fished.
- C CIRI was established as a Native corporation by *ANCSA*. CIRI had problems obtaining land entitled to it under *ANCSA* which resulted in a number of legislative and administrative resolution attempts. Amendments to *ANCSA in P.L. 94-204* of January 2, 1976 provided: (1) for the establishment (but not funding) of CIRI Surplus Property Account for the purpose of bidding on Federal surplus property; (2) identification of the entitlement to be charged against the surplus property account; and (3) the basis for computing gain or loss against CIRI's entitlement.
- C In 1990 actual funding for the CIRI Property Account was appropriated as permanent budget authority, by *P.L. 101-165, the Department of the Defense Appropriation Act of 1990*.
- C Various legislative authorities, and agreements between the Department of the Interior (DOI) and CIRI further defined a mechanism to account for CIRI entitlements.
- C A Memorandum of Understanding between the DOI and CIRI dated April 11, 1986, requires the Department to adjust the CIRI's Remaining Obligation Entitlement Account periodically to reflect changes in the consumer price index (CPI) for the Anchorage, Alaska area.
- C The BLM has been assigned the responsibility of administering the operations of the CIRI Property Account and appropriated funds.
- C The remaining entitlement balance in the CIRI Property Account as of the end of December 31, 1998, including all CPI adjustment to that date is \$2,376,394.

Activity: Native Alaskan groups' properties

- C Funds were appropriated by Public Law 102-172 for the Calista Corporation and by Public Law 102-415 for the Haida Corporation and the Gold Creek Susitna Association, Incorporated, for the acquisition by those groups of Federal real properties in fulfillment of claims originally settled in 43 U.S.C. 1617, the Alaska Native Claims Settlement Act.

Activity: Haida Property Account

- C This account was established under the authority of *P.L. 102-415, Section 13, 106 Stat. 2122.*
- C Haida Property Account is an Alaska Native Corporation organized pursuant to the *Alaska Native Claims Settlement Act of 1971 (ANSCA), P.L. 23-203*, as amended.
- C Pursuant to Section 16 which amends the *Haida Land Exchange Act of 1986*, this account received \$47,573,000 in 1997 for the assignment and /or land exchange credit as prescribed in the Act.

Activity: Calista

- C *Section 8126 of P.L. 102-172*, dated November 26, 1991 authorized the Secretary of the Interior to exchange excess government properties for lands and interests in lands of equal value identified in a document entitled "The Calista Conveyance and Relinquishment Document" (CCRD), dated October 28, 1991.
- C H.R. 2000, ANSCA land Bank Protection Act of 1998, will amend existing law by assigning a value of \$39 million to properties to be conveyed by the Calista Corporation in exchange for monetary credits to federal properties. This amount will be paid over a eight year period, beginning in fiscal year 2000.

Activity: Utah School Lands Exchange

- C The State of Utah is paid \$50 million, from funds not otherwise appropriated by the Treasury, under the Utah Schools and Lands Exchange Act of 1998 (P.L. 105-335). This is a one time payment made upon completion of all conveyances covered by the Act.