

## Appropriation: Miscellaneous Trust Funds (Mandatory, Indefinite)

### APPROPRIATION LANGUAGE SHEET

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended. (*P.L. 106-133, Department of the Interior and Related Agencies Appropriations Act, 2000 as enacted by section 1000 (a)(3) of the Consolidated Appropriations Act, 2000.*)

## APPROPRIATION LANGUAGE CITATIONS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

43 U.S.C. 315h  
43 U.S.C. 315i  
43 U.S.C. 355  
43 U.S.C. 759  
43 U.S.C. 761  
43 U.S.C. 1721  
43 U.S.C. 1737  
31 U.S.C. 1321(a)(47),(48)  
48 Stat. 1224-36  
P.L. 105 - 83

Statutes that authorize permanent trust funds:

***The Taylor Grazing Act of 1934, as amended (43 U.S.C. 315h, 315i)*** provides for the Secretary of the Interior to accept contributions for the administration, protection, and improvement of grazing lands, and for these funds to be deposited into the Treasury in a trust fund and permanently appropriates them for use by the Secretary.

***The Act of March 3, 1891, Section 11 (43 U.S.C. 355)*** provides for the sale of town lots to non-Native Alaskans. This Act was repealed by the Federal Land Policy and Management Act of 1976 (FLPMA). The Comptroller General Opinion of November 18, 1935, and 31 U.S.C. 1321 authorizes the use of trust funds to provide for survey and deed recordation of town lots occupied prior to passage of FLPMA.

**43 U.S.C. 759** provides for accomplishment of public surveys of whole townships through a trust fund; deposits for expenses deemed appropriated. 43 U.S.C. 761 provides for refunds from trust funds established in 43 U.S.C. 759 of costs in excess of expenses.

**31 U.S.C. 1321(a)(47) and (48)** classify the activities of "Expenses, public survey work, general" and "Expenses, public survey work, Alaska" as trust funds.

**48 Stat. 1224-36** provides for payments in advance for public surveys.

Statutes that authorize current appropriations of trust funds:

**43 U.S.C. 1721(a),(b) (FLPMA Section 211(a) and (b))** provide for the donation of funds for surveys of omitted lands.

**43 U.S.C. 1737(c) (FLPMA Section 307(c))** provides that funds may be contributed to BLM for:

1) resource development, protection, and management, 2) acquisition or conveyance of public lands and 3) cadastral surveys on Federally controlled or intermingled lands. Contributed funds are to be placed in a separate account in the Treasury and are authorized to be appropriated and available until expended.

***(Department of the Interior and Related Agencies Appropriations Act, 1999, as included in Public Law 105-277, section 101(e).)***

### **AUTHORIZATIONS**

**The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1721, 1737)**

Provided for the acceptance of contributed money or services for: 1) resource development, protection and management; 2) conveyance or acquisition of public lands (including omitted lands or islands) to States, their political subdivisions or individuals; and 3) conducting cadastral surveys; provided that estimated costs are paid to protect initiation.

**Taylor Grazing Act (43 U.S.C. 315h and 315i)**

Provided for the acceptance of contributions for rangeland improvements.

**43 U.S.C. 759, 761, and 31 U.S.C. 1321(a)**

Provided for contributions for public surveys.

**Act of March 3, 1891, Section 11**

Provided for the sale of town lots to non-Native Alaskans. This Act was repealed by FLPMA.

**The Comptroller General Opinion of November 18, 1935, and 31 U.S.C. 1321**

Authorized the use of trust funds to provide for survey and deed recordation of town lots occupied prior to passage of FLPMA.

## SUMMARY OF REQUIREMENTS

(thousands of dollars)

Comparison by Activity/ Subactivity	1999 Actual		2000 Estimate		Uncontrollable & Related Changes (+/-)		Program Changes (+/-)		2001 Budget Requests		Inc(+) Dec(-) from 2000	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
<b>Miscellaneous Trust Funds</b>	<b>75</b>	<b>13,365</b>	<b>75</b>	<b>8,800</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>75</b>	<b>8,800</b>	<b>0</b>	<b>0</b>
Conveyance of Omitted Lands	0	0	0	0	0	0	0	0	0	0	0	0
Resource Development Protection & Mgmt. - FLPMA	28	8,459	28	3,610	0	0	+1	0	29	3,610	+1	0
Resource Development Protection & Mgmt. - California Off-Highway	34	2,985	34	3,805	0	0	+1	0	35	3,805	+1	0
WL & Fish Conservation & Rehabilitation - Sikes Act	2	340	3	285	0	-2	0	0	1	285	-2	0
Rights-Of-Way	0	9	0	0	0	0	0	0	0	0	0	0
Resource Development Protection & Mgmt. - Taylor Grazing Act	6	1,288	10	1,100	0	0	0	0	10	1,100	0	0
Public Survey	5	284	0	0	0	0	0	0	0	0	0	0
Trustee Funds, Alaska Townsites	0	0	0	0	0	0	0	0	0	0	0	0

## Appropriation: Miscellaneous Trust Funds

### Activity Summary (000's)

	1999 Actual	2000 Enacted to Date	Uncontrollable & Related Changes (+/-)	Program Changes (+/-)	2001 Budget Request	Change From 2000 (+/-)
Conveyance of Omitted Lands.                   \$	0	0	0	0	0	0
<i>FTE</i>	0	0	0	0	0	0
Resource Development Protection & Mgt-FLPMA   \$	8,459	3,610	0	0	3,610	0
<i>FTE</i>	28	28	0	+1	29	+1
Resource Development Prot & Mgt-Calif Off-Hwy       \$	2,985	3,805	0	0	3,805	0
<i>FTE</i>	34	34	0	+1	35	+1
WL & Fish Conservation & Rehabilitation - Sikes Act   \$	340	285	0	0	285	0
<i>FTE</i>	2	3	0	-2	1	-2
Rights-Of-Way               \$	9	0	0	0	0	0
<i>FTE</i>	0	0	0	0	0	0
Resource Development Protection and Management (Taylor Grazing Act)               \$	1,288	1,100	0	0	1,100	0
<i>FTE</i>	6	10	0	0	10	0
Public Survey               \$	284	0	0	0	0	0
<i>FTE</i>	5	0	0	0	0	0
Trustee Funds, Alaska Town sites                         \$	0	0	0	0	0	0
<i>FTE</i>	0	0	0	0	0	0
Total Dollars	13,365	8,800	0	0	8,800	0
<i>Total FTE</i>	75	75	0	0	75	0

## Activity: Land and Resource Management Trust Fund (Current, Mandatory, Indefinite)

### ACTIVITY DESCRIPTION

- C The Land and Resource Management Trust Fund functions to provide for resource development, protection, and management improvement of the public lands with money and services contributed to the BLM from non-Federal sources.
- C Contributions and donations of money from private individuals, companies, user organizations, state government agencies and other non-Federal entities provide for the performance of certain conservation practices. The BLM must receive these monies before work begins, and any money remaining after the project is completed will be returned to the contributor if they desire.
- C Funds are received from the following sources:

**Conveyance of Omitted Lands** - This activity component authorizes BLM to receive contributed funds for land and realty actions from non-Federal sources or applicants as agreed to through an established contribution agreement.

**Resource Development Protection & Management-FLPMA** - According to FLPMA, the BLM can accept contributed money or services for: 1) resource development, protection and management; 2) conveyance or acquisition of public lands; and 3) conducting cadastral surveys.

**Resource Development Protection & Management of California Off-Highway Vehicle** - Included in the 1999 program are estimated contributions from the State of California Off-Highway Vehicle license ("Green Sticker") fund. BLM uses this fund for the development, maintenance, and operation of benefitting projects on BLM administered public lands in California.

**Wildlife & Fish Conservation & Rehabilitation- Sikes Act** - The Sikes Act authorizes state game and fish departments to charge fees for activities such as hunting, fishing, and trapping on federal lands. These funds are used by the BLM for conservation, restoration, and management and improvement of wildlife species and their habitat.

**Rights-of-Way** - This activity component authorizes BLM to receive contributed funds from private individuals to pay the casework costs of processing rights-of-way requested by them.

## Activity: Permanent Miscellaneous Trust Funds

Funds are contributed into the following BLM Permanent Miscellaneous Trust Funds:

**Taylor Grazing Act Contributions** - These contributions are permanently appropriated as trust funds to the Secretary for rangeland improvement efforts as specified by the Act.

**Public Survey Contributions** - These contributions are permanently appropriated as trust funds to the Secretary for cadastral survey, as authorized.

**Trustee Funds, Alaska Townsites** - These contributions are provided for the sale of town lots to non-Native Alaskans. These trust funds provide for the survey and deed transfer of town lots. Purchasers pay the cost of survey and deed transfer plus \$25. (Native Alaskans are exempt from payment). Only lots occupied before the passage of FLPMA may be deeded to the occupants; all other lots are the property of the municipality.

Page intentionally left blank