

## Appropriation: Range Improvements

### APPROPRIATION LANGUAGE SHEET

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses. *(P.L. 106-113, Department of the Interior and Related Agencies Appropriations Act, as enacted by section 1000(a)(3) of the Consolidated Appropriations Act, 2000.)*

## APPROPRIATION LANGUAGE CITATIONS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the *Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701)*, notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: Provided, that not to exceed \$600,000 shall be available for administrative expenses.

43 U.S.C. 1751  
43 U.S.C. 1901  
7 U.S.C. 1010  
E.O. 10046; 10175; 10234;  
10322; 10787; 10890,  
30 U.S.C. 355  
7 U.S.C. 2814  
P.L. 105-83

**Section 401 of FLPMA (43 U.S.C. 1751) as amended by the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1905)**, provides that 50 per centum of all moneys received by the United States as fees for grazing domestic livestock on public land under the *Taylor Grazing Act (43 U.S.C. 315)* and the *Act of August 28, 1937 (43 U.S.C. 1181d)* shall be credited to a separate account in the Treasury and made available for the purpose of on-the-ground range rehabilitation, protection, and improvements, including but not limited to, seeding and reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement.

**7 U.S.C. 1010 (the Bankhead Jones Farm Tenant Act of 1937)**, provides that the Secretary of Agriculture is authorized and directed to develop a program of land conservation and utilization in order to correct maladjustments in land use, and thus assist in controlling soil erosion, conducting reforestation, preserving natural resources, protecting fish and wildlife, developing and protecting recreational facilities, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public land, health, safety, and welfare, but not to build industrial parks or establish private industrial or commercial enterprises.

**Executive Orders 10046, et al.**, provide that land under the jurisdiction of the Secretary of Agriculture under the provision of §32 of the *Bankhead Jones Farm Tenant Act* is transferred from the Department of Agriculture to the Department of the Interior for use, administration, or exchange under the applicable provisions of the Taylor Grazing Act.

**30 U.S.C. 355**, provides that all mineral leasing receipts derived from leases issued under the authority of the *Mineral Leasing Act for Acquired Lands of 1947* shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease. The intention is that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands.

**Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)**, provides for the designation of a lead office and person trained in the management of undesirable plants; establish and fund an undesirable plant management program; complete and implement cooperative agreements with state Agencies; and establish integrated management systems to control undesirable plant species.

**The Annual Department of the Interior and Related Agencies Appropriations Acts**, provide that a minimum amount is appropriated; the appropriation shall remain available until expended and that a maximum of \$600,000 is available from this appropriation for BLM administrative expenses.

Under the provisions of the **Balanced Budget and Emergency Deficit Control Act of 1985 and the Budget Enforcement Act of 1990**, this account is classified as a current, mandatory account.

**P.L. 106-113, Department of the Interior and Related Agencies Appropriations Act, 2000, as enacted by section 1000(a)(3) of the Consolidated Appropriations Act, 2000.**

## AUTHORIZATIONS

**The Federal Land Policy and Management Act of 1976, as amended, (FLPMA), (43 U.S.C. 1751)**

Provides that 50 percent of grazing fees are authorized to be appropriated for range betterment. Half the appropriated amount is to be spent within the same BLM district which generated the grazing receipts; the remaining half may be utilized as the Secretary directs.

**The Mineral Leasing Act for Acquired Lands of 1947 (30 U.S.C. 355)**

Provides that "all receipts derived from leases issued under the authority of this chapter shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease, the intent of this provision being that this chapter shall not affect the distribution of receipts pursuant to legislation applicable to such lands . . ."

**The Taylor Grazing Act of 1934, as amended, (43 U.S.C. 315)**

Provides for active management of public rangelands including regulation of livestock grazing and improvement of the productive capability of the public range.

**The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901- 1905)**

Provides for improving the condition of the public rangelands and provides authorization for an appropriation of \$10,000,000 per annum or 50 per centum of all moneys received as fees for grazing, whichever is greater, notwithstanding the level of grazing fees collected.

**The Farm Tenant Act of 1937 ("Bankhead Jones Act") (7 U.S.C. 1010, 1012-1013A)**

Provides for management of acquired farm tenant lands and construction and maintenance of range improvements.

**Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)**

Provides for the designation of a lead office and person trained in the management of undesirable plants; establish and fund an undesirable plant management program; complete and implement cooperative agreements with state agencies; and establish integrated management systems to control undesirable plant species. provides for the designation of a lead office and person trained in the management of undesirable plants; establish and fund an undesirable plant management program; complete and implement cooperative agreements with state agencies; and establish integrated management systems to control undesirable plant species.

**Executive Order No. 12548**

Provides for establishment of appropriate fees for the grazing of domestic livestock on public rangelands. It also provides that the fee shall not be less than \$1.35 per animal unit month.

## SUMMARY OF REQUIREMENTS

(dollars in thousands)

Comparison by Activity/ Subactivity	1999 Actual 1/ FTE Amount		2000 Estimate FTE Amount		Uncontrollable & Related Changes (+/-) FTE Amount		Program Changes (+/-) FTE Amount		2001 Budget Requests FTE Amount		Inc(+) Dec(-) from 2000 FTE Amount	
	<b>Range Improvements</b>	<b>72</b>	<b>9,905</b>	<b>72</b>	<b>10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>72</b>	<b>10,000</b>	<b>0</b>
Improvements to Public Lands	62	8,361	62	8,084	0	0	0	0	62	8,084	0	0
Farm Tenant Act Lands	10	1,039	10	1,316	0	0	0	0	10	1,316	0	0
Administrative Expenses	0	505	0	600	0	0	0	0	0	600	0	0

1/ The FY 1999 budget authority, in the amount of 9,905,000, is the net of the \$95,000 reduction pursuant to P. L. 106-51.

## Activity: Range Improvements

### Activity Summary (000's)

Subactivity	1999 Actual 1/	2000 Estimate	Uncontrollable & Related Changes (+/-)	Program Changes (+/-)	2001 Budget Request	Change From 1999 (+/-)
Public Land	\$ 8,361	8,084	0	0	8,084	0
<i>FTE</i>	62	62	0	0	62	0
Farm Tenant Act	\$ 1,039	1,316	0	0	1,316	0
(L.U. Land)	<i>FTE</i> 10	10	0	0	10	0
Administrative Exp.	\$ 505	600	0	0	600	0
<i>FTE</i>	0	0	0	0	0	0
Total Dollars	9,905	10,000	0	0	10,000	0
<i>Total FTE</i>	72	72	0	0	72	0

1/ The FY 1999 budget authority, in the amount of 9,905,000, is the net of the \$95,000 reduction pursuant to P. L. 106-51.

### ACTIVITY DESCRIPTION

- C This activity includes all facets of managing range improvement development on public lands, including project planning; engineering and design; construction; and project monitoring.
- C The Range Improvements activity is directed toward restoring ecosystems and improving the productivity of public rangeland ecosystems to benefit livestock; fish and wildlife habitat; riparian values; watershed protection and other resource values. Restoration is accomplished through the planning, construction, and development of projects to prevent resource damage or relieve conflicts in resource use; and to modify, remove, or make additions to projects where resource conditions or new information indicates this is needed. The rangeland improvement policy encourages private parties and other beneficiaries to contribute funds toward improvement of rangeland conditions and shifts project maintenance responsibilities to the benefitting user. The BLM continues to be responsible for maintenance of land treatments and certain structural improvements such as reservoirs and water developments requiring specialized equipment.
- C Through this activity, on-the-ground improvements such as prescribed burns and wildlife/livestock water developments which have been recommended in activity plans are initiated and priority given to allotments: with riparian areas, with integrated weed management programs, or not meeting management objectives.

**WORKLOAD MEASURES**

Workload Measure	1999 Actual	2000 Enacted to Date	2001 Budget Request
Rangeland Improvement Projects Constructed (Number)	719	719*	719*

\* This Workload Measure has been changed in FY2000, and is replaced by several new workload measures including: Shrub, Grassland, PJ, Forest Projects Constructed (number); Shrub, Grassland, PJ Vegetation Treatments Applied (acres); Shrub, Grassland, PJ, Forest Projects Maintained (number); Weed Treatments Applied (acres); Aquatic/Riparian/Wetland Treatments Applied (acres); Aquatic/Riparian/Wetland Treatments Applied (miles); Aquatic/Riparian/Wetland Projects (number constructed); Aquatic/Riparian/Wetland Projects (number maintained). A combination of these workload measures funded from this activity is expected to remain at the approximate level as in FY1999.

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