

Appropriation: Management of Lands and Resources

APPROPRIATION LANGUAGE SHEET

For necessary expenses of the Bureau of Land Management, as authorized by law \$828,079,000, to remain available until expended, of which \$20,973,000 shall be derived from the Land and Water Conservation Fund, and of which not to exceed \$1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended: Provided, That \$1,000,000 is for high priority projects, to be carried out by the Youth Conservation Corps; \$51,387,000 is for conservation spending category activities; \$2,222,000 is for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96-487; \$3,000,000, is for a lump sum grant to the National Fish and Wildlife Foundation, subject to a match by at least an equal amount by the Foundation, for cost-shared projects supporting conservation of Bureau lands; \$32,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final fiscal year 2004 appropriation estimated at not more than \$828,079,000; and \$2,000,000, to be derived; from communication site rental fees, is for the cost of administering communication site activities: Provided further, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors. (16 U.S.C. 3150, 4601-6a(i)).

AUTHORIZATIONS

General Authorizing Legislation - The following authorize the general activities of the Bureau of Land Management or govern the manner in which BLM's activities are conducted.

**Reorganization Plan No. 3
of 1946, §403**

Establishes the BLM.

**Omnibus Parks Act of
1996**

Reauthorizes BLM activities for 6 years.

**Federal Land Policy and
Management Act of 1976,
as amended (43 U.S.C.
1701 et seq.)**

Outlines functions of the BLM Directorate, provides for administration of public lands through the BLM, provides for management of the public lands on a multiple-use basis, and requires land-use planning including public involvement and a continuing inventory of resources. The Act establishes as public policy that, in general, the public lands will remain in Federal ownership, and also authorizes:

- Acquisition of land or interests in lands consistent with the mission of the Department and land use plans;
- Permanent appropriation of road use fees collected from commercial road users, to be used for road maintenance;
- Collection of service charges, damages, and contributions and the use of funds for specified purposes;
- Protection of resource values;
- Preservation of certain lands in their natural condition;
- Compliance with pollution control laws;
- Delineation of boundaries in which the Federal government has right, title, or interest;
- Review of land classifications in land use planning; and modification or termination of land classifications when consistent with land use plans;
- Sale of lands if the sale meets certain disposal criteria;
- Issuance, modification, or revocation of withdrawals;
- Review of certain withdrawals by October 1991;
- Exchange or conveyance of public lands if in the public interest;
- Outdoor recreation and human occupancy and use;
- Management of the use, occupancy, and development of the public lands through leases and permits;
- Designation of Federal personnel to carry out law enforcement responsibilities;
- Determination of the suitability of public lands for rights-of-way purposes (other than oil and gas pipelines) and specification of the boundaries of each right-of-way;
- Recordation of mining claims and reception of evidence of annual assessment work.

**National Environmental
Policy Act of 1966 (42**

Requires the preparation of environmental impact statements for Federal projects which may have a significant effect on the

U.S.C. 4321 et seq.)	environment. It requires systematic, interdisciplinary planning to ensure the integrated use of the natural and social sciences and the environmental design arts in making decisions about major Federal actions that may have a significant effect on the environment.
The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)	Directs Federal agencies to ensure that their actions do not jeopardize threatened and endangered species, and that through their authority they help bring about the recovery of these species.
P. L. 107-13	Authorizes the Secretary of the Interior and the Secretary of Agriculture to use funds appropriated for wildland fire management in the <i>2001 Interior and Related Agencies Appropriations Act</i> to reimburse the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to facilitate the interagency cooperation required under the Endangered Species Act of 1973 in connection with wildland fire management. Authority extended in the <i>2002 Interior and Related Agencies Appropriations Act</i> .
An Act to Amend the Reclamation Recreation Management Act of 1992 (P.L. 107-69)	Provides for the security of dams, facilities and resources under the jurisdiction of the Bureau of Reclamation. Authorizes the Secretary of the Interior to authorize law enforcement personnel from the Department of the Interior to enforce Federal laws and regulations within a Reclamation Project or on Reclamation lands.
The Civil Service Reform Act of 1978 (5 U. S. C. 1701)	Requires each executive agency to conduct a continuing program to eliminate the under-representation of minorities and women in professional, administrative, technical, clerical, and other blue collar employment categories within the Federal services.
The Civil Rights Act of 1964, as amended (42 U.S.C. 2000)	Requires development and maintenance of affirmative action programs to ensure non-discrimination in any employment activity.
Executive Order 11478 of August 8, 1969 (34 F. R. 12985)	Requires agencies to establish and maintain an affirmative action program of equal employment opportunity for all employees and applicants for employment.
The Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3520)	Provides national Federal information policy, and requires that automatic data processing and telecommunication technologies be acquired and used to improve services, delivery, and productivity, and to reduce the information processing burden for the Federal government and the general public.
The Computer Security Act of 1987 (40 U.S.C. 759)	Requires adoption and implementation of security plans for sensitive information systems to ensure adequate protections and management of Federal data.
The Electronic FOIA Act of	Requires that government offices make more information available

1996 (P.L. 104-231)

in electronic format to the public.

**The Information
Technology Management
Reform Act of 1996 (P.L.
104-106 §5001)**

Requires agencies more effectively use Information Technology to improve mission performance and service to the public, and strengthen the quality of decisions about technology and mission needs through integrated planning, budgeting, and evaluation.

**The Chief Financial
Officers Act of 1990
(U.S.C. 501)**

Requires that a Chief Financial Officer be appointed by the Director of OMB and that this CFO will provide for the production of complete, reliable, timely, and consistent financial information for use by the executive branch of the Government and the Congress in the financing, management, and evaluation of Federal programs.

**The Government
Performance and Results
Act of 1993 (P.L. 103-62)**

Requires 10 federal agencies to launch a 3-year pilot project beginning in 1994, to develop annual performance plans that specify measurable goals, and produce annual reports showing how they are achieving those goals.

**P.L. 101-512, November 5,
1990**

Authorizes BLM to negotiate and enter into cooperative arrangements with public and private agencies, organizations, institutions, and individuals to implement challenge cost-share programs.

Specific Authorizing Legislation - In addition to the above laws that provide general authorization and parameters, a number of laws govern specific program activities, or activities in specific or designated areas.

**Safe Drinking Water Act
Amendments of 1977 (42
U.S.C. 201)**

Requires compliance with all Federal, State, or local statutes for safe drinking water.

**Colorado River Basin
Salinity Control Act
Amendment of 1984 (43
U.S.C. 1593)**

Directs the Department to undertake research and develop demonstration projects to identify methods to improve the water quality of the Colorado River. The amendment requires BLM to develop a comprehensive salinity control program, and to undertake advanced planning on the Sinbad Valley Unit.

**National Dam Inspection
Act of 1972 (33 U.S.C. 467)**

Requires the Secretary of the Army, acting through the Chief of Engineers, to carry out a dam inspection program to protect human life and property.

**Soil and Water Resources
Conservation Act of 1977
(16 U.S.C. 2001)**

Provides for conservation, protection and enhancement of soil, water, and related resources.

**The Clean Air Act of 1990,
as amended (42 U.S.C.
7401, 7642)**

Requires BLM to protect air quality, maintain Federal and State designated air quality standards, and abide by the requirements of the State implementation plans.

<i>The Clean Water Act of 1987, as amended (33 U.S.C. 1251)</i>	Establishes objectives to restore and maintain the chemical, physical and biological integrity of the nation's water.
<i>Executive Order 11988, Floodplain Management, May 24, 1977 (42 F.R. 26951)</i>	Provides for the restoration and preservation of national and beneficial floodplain values, and enhancement of the natural and beneficial values of wetlands in carrying out programs effecting land use.
<i>Executive Order 11990, Protection of Wetlands, May 25, 1977 (42 F.R. 26961)</i>	Directs that wetland and riparian habitats on the public lands be identified, protected, enhanced, and managed.
<i>Executive Order 12088, Federal Compliance with Pollution Control Standards October 17, 1978 (43 F.R. 47707)</i>	Sets the requirements for standards applicability, agency coordination, and limits on exemptions from standards.
<i>Taylor Grazing Act of 1934 (43 U.S.C. 315), as amended by the Act of August 28, 1937 (43 U.S.C. 1181d)</i>	Authorizes the establishment of grazing districts, regulation and administration of grazing on the public lands, and improvement of the public rangelands. It also authorizes the Secretary to accept contributions for the administration, protection, and improvement of grazing lands, and establishment of a trust fund to be used for these purposes.
<i>Bankhead Jones Farm Tenant Act of 1937 (7 U.S.C. 1010 et seq.)</i>	Authorizes management of acquired farm tenant lands, and construction and maintenance of range improvements. It directs the Secretary of Agriculture to develop a program of land conservation and utilization to adjust land use to help control soil erosion, conduct reforestation, preserve natural resources, develop and protect recreational facilities, protect watersheds, and protect public health and safety.
<i>Executive Orders 10046, 10175, 10234, 10322, 10787, 10890</i>	Authorizes the transfer of certain lands from the Department of Agriculture to the Department of the Interior for use, administration, or exchange under the <i>Taylor Grazing Act of 1934</i> .
<i>Carlson-Foley Act of 1968 (42 U.S.C. 1241-1243)</i>	Authorizes BLM to reimburse States for expenditures associated with coordinated control of noxious plants.
<i>Wild Free Roaming Horse and Burro Act of 1971, as amended by the Public Rangelands Improvement Act of 1978 (16 U.S.C. 1331-1340)</i>	Provides for the management, protection and control of wild horses and burros on public lands and authorizes "adoption" of wild horses and burros by private individuals.
<i>Public Rangelands Improvement Act of 1978</i>	Provides for the improvement of range conditions to assure that rangelands become as productive as feasible for watershed

(43 U.S.C. 1901-1908)

protection, livestock grazing, wildlife habitat, and other rangeland values. The act also authorizes:

- Research on wild horse and burro population dynamics, and facilitates the humane adoption or disposal of excess wild free roaming horses and burros, and
- Appropriation of \$10 million or 50 percent of all moneys received as grazing fees, whichever is greater, notwithstanding the amount of fees collected.

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

Provides for the designation of a lead office and a person trained in the management of undesirable plants; establishment and funding of an undesirable plant management program; completion and implementation of cooperative agreements with State agencies; and establishment of integrated management systems to control undesirable plant species.

Executive Order 12548

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

The Antiquities Act of 1906 (16 U.S.C. 431 et seq.)

Protects cultural resources on Federal lands, and imposes penalties for excavation or appropriation without a permit.

The Historic Sites Act (16 U.S.C. 461)

Declares national policy to identify and preserve historic sites, buildings, objects, and antiquities of national significance, providing a foundation for the National Register of Historic Places.

The National Historic Preservation Act of 1966, as amended (16 U.S.C. 470)

Expands protection of historic and archaeological properties to include those of national, State and local significance. It also directs Federal agencies to consider the effects of proposed actions on properties eligible for or included in the National Register of Historic Places.

The Archaeological Resources Protection Act of 1979, as amended (16 U.S.C. 470a, 470cc and 470ee)

Requires permits for the excavation or removal of Federally administered archaeological resources, encourages increased cooperation among Federal agencies and private individuals, provides stringent criminal and civil penalties for violations, and requires Federal agencies to identify important resources vulnerable to looting and to develop a tracking system for violations.

The Chacoan Culture Preservation Act of 1980 (16 U.S.C. 410; ii)

Provides for preservation, protection, research, and interpretation of the Chacoan system, including 33 archaeological protection sites, located throughout the San Juan Basin on public, State, Indian and private lands.

The Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001)

Requires agencies to inventory archaeological and ethnological collections in their possession or control (which includes non-federal museums) for human remains, associated funerary objects, sacred objects, and objects of cultural patrimony; identify them geographically and culturally; and notify appropriate tribes within 5

	years.
Executive Order 11593 of May 13, 1971, Protection and Enhancement of the Cultural Environment (36 F.R. 8921)	Directs Federal agencies to locate, inventory, nominate, and protect Federally owned cultural resources eligible for the National Register of Historic Places, and to ensure that their plans and programs contribute to preservation and enhancement of non- Federally owned resources.
The Migratory Bird Conservation Act of 1929, as amended (16 U.S.C. 715) and treaties pertaining thereto	Provides for habitat protection and enhancement of protected migratory birds.
The Sikes Act of 1974, as amended (16 U.S.C. 670 et seq.)	Provides for the conservation, restoration, and management of species and their habitats in cooperation with State wildlife agencies.
The Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3101 et seq.)	Provides for the special designation of certain public lands in Alaska and conservation of their fish and wildlife values; management for subsistence uses of fish and wildlife resources on public lands by residents of rural Alaska; and protection of the wildlife resources on North Slope lands impacted by oil and gas exploration and development activities.
The Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.)	Provides that lands may be declared unsuitable for surface coal mining where significant adverse impacts could result to certain wildlife species.
Executive Order 12962, Recreational Fishing, June 7, 1995	Directs all Federal agencies to enhance recreational fish species and provide increased recreational fishing opportunities.
The Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)	Provides for the designation and preservation of Wilderness Areas.
The Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460 et seq.)	Provides for the establishment of the Land and Water Conservation Fund, special BLM accounts in the Treasury, the collection and disposition of recreation fees, the authorization for appropriation of recreation fee receipts, and other purposes. Authorizes planning, acquisition, and development of needed land and water areas and facilities.
The Arkansas-Idaho Land Exchange Act of 1992 (P.L. 102-584)	Authorizes the Secretary to enter into land exchanges for certain purposes.
The Utah School Lands Act (P.L. 103-93)	Authorizes the Secretary to enter into land exchanges for certain purposes.

The King Range National Conservation Area Act of 1970, as amended (16 U.S.C. 460y)

Provides for management and development of the King Range National Conservation Area for recreational and other multiple-use purposes. It authorizes the Secretary to enter into land exchanges and to acquire lands or interests in lands within the national conservation area.

The California Desert Protection Act of 1994 (P.L. 103-433)

Establishes boundaries and management responsibilities for areas in the California Desert, and establishes 69 new Wilderness Areas.

An Act to Establish the Red Rock Canyon National Conservation Area in Nevada (16 U.S.C. 460ccc)

Provides for the conservation, protection, and enhancement of cultural and natural resources values by the BLM within the Red Rock Canyon National Conservation Area.

An Act to Establish the El Malpais National Monument and the El Malpais National Conservation Area in New Mexico, (16 U.S.C. 460uu 21)

Provides for the protection and management of natural and cultural resource values within the El Malpais National Conservation Area by the BLM.

An Act to Provide for the Designation and Conservation of Certain Lands in Arizona and Idaho (16 U.S.C. 460xx)

Establishes the San Pedro Riparian National Conservation Area in Arizona and provides for management and development for recreation and other multiple-use purposes.

Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area Act of 1999 (6 USC 410fff)

Establishes the Gunnison Gorge National Conservation Area to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

Black Rock Desert/High Rock Canyon Emigrant Trails National Conservation Area Act of 2000, as amended. (16 U.S.C. 460ppp)

Establishes the Black Rock Desert/High Rock Canyon Emigrant Trails National Conservation Area in Nevada, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

Colorado Canyons National Conservation Area and Black Ridge Canyon Wilderness Act of 2000 (16 U.S.C. 460mmm,

Establishes the Colorado Canyons National Conservation Area and Black Ridge Canyon Wilderness Area in Colorado, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

P.L. 106-353)

Las Cienegas National Conservation Area Act (16 U.S.C. 4600oo)

Establishes the Las Cienegas National Conservation Area in Arizona, to be managed by the Secretary, acting through the Director of the Bureau of Land Management.

Santa Rosa and San Jacinto Mountains National Monument Act of 2000 (16 U.S.C. 431)

Establishes the Santa Rosa and San Jacinto Mountains National Monument in California, to be managed by the Secretary, acting through the Director of the Bureau of Land Management

Steens Mountain Cooperative Management and Protection Act of 2000 (16 U.S.C. 460nnn)

Establishes the Steens Mountain Cooperative Management and Protection Area in Oregon, to be managed by the Secretary, acting through the Director of the Bureau of Land Management

Otay Mountain Wilderness Act of 1999

Establishes the Otay Mountain Wilderness Area in California, to be managed by the Secretary, acting through the Director of the Bureau of Land Management

Presidential Proclamation 6920 of 1996

Established the Grand Staircase - Escalante National Monument, to be managed by the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

Presidential Proclamation 7265 of 2000

Established the Grand Canyon - Parashant National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management and the National Park Service. The Bureau of Land Management shall have primary management authority for those portions of the Monument outside of the Lake Mead National Recreation Area.

Presidential Proclamation 7263 of 2000

Established the Agua Fria National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.

Presidential Proclamation 7264 of 2000

Established the California Coastal National Monument. The Secretary of the Interior shall manage the monument through the Bureau of Land Management.

P.L. 107-30

Provides further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and adds responsibilities for the Secretary of the Interior and the Bureau of Land Management.

The National Trails System Act of 1968, as amended (16 U.S.C. 1241-1249)

Establishes a national trails system and requires that Federal rights in abandoned railroads be retained for trail or recreation purposes, or sold with the receipts to be deposited in the LWCF.

The Wild and Scenic Rivers Act of 1968, as

Provides for the development and management of certain rivers. Authorizes the Secretary to exchange or dispose of suitable

<i>amended (16 U.S.C. 1271 et seq.)</i>	Federally-owned property for non-Federal property within the authorized boundaries of any Federally-administered component of the National Wild and Scenic Rivers System.
<i>The National Parks and Recreation Act of 1978 (16 U.S.C. 1242-1243)</i>	Establishes a number of national historic trails which cross public lands.
<i>The Federal Cave Resource Protection Act of 1988 (16 U.S.C. 4301)</i>	Provides for the protection of caves on lands under the jurisdiction of the Secretary, and the Secretary of Agriculture. Establishes terms and conditions for use permits, and penalties for violations.
<i>The Mineral Leasing Act of 1920, as amended, (30 U.S.C. 181, et seq.)</i>	Provides for leasing of coal, phosphate, sodium, potassium, oil, gas, oil shale, native asphalt, solid and semi-solid bitumen, bituminous rock, and gilsonite on lands containing such deposits owned by the U.S., including those in National Forests, but excluding those within the national petroleum and oil shale reserves. It preserves the right of pre-1920 oil shale mining claims to be patented, mandates a broad spectrum of requirements for lease management, and authorizes the Secretary to determine suitability of public lands for oil and gas pipeline rights-of-way.
<i>The Mineral Leasing Act for Acquired Lands of 1947 (30 U.S.C. 351-359)</i>	Provides for the leasing of coal, phosphate, sodium, potassium, oil, gas, oil shale, and sulfur which are owned or acquired by the U.S. and which are within the lands acquired by the U.S., with the consent of the head of the agency having jurisdiction over the lands containing such deposits. It provides that all mineral leasing receipts derived from leases under this act 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.
<i>The Trans-Alaska Pipeline Act of 1973 (30 U.S.C. 185)</i>	Authorizes the Secretary to determine suitability of public lands for oil and gas pipeline rights-of-way, and issue rights-of-way and other land use authorizations related to the Trans-Alaska pipeline. Rights-of-way applicants and permittees are to reimburse the U.S. for all costs associated with processing applications and monitoring pipeline construction and operations.
<i>The Alaska Natural Gas Transportation Act of 1976 (15 U.S.C. 719)</i>	Authorizes the granting of certificates, rights-of-way, permits, and leases.
<i>The Materials Act of 1947, as amended (30 U.S.C. 601-604 et seq.)</i>	Provides for the sale of common variety materials for personal, commercial, or industrial uses and for free use for local, State, and Federal governmental entities.
<i>The Federal Oil and Gas</i>	Comprehensive law dealing with royalty management on Federal

Royalty Management Act of 1982 (30 U.S.C. 1701) (FOGRMA)

and Indian leases. In addition to revenue accountability, it includes provisions pertaining to onshore field operations, inspections, and cooperation with State and Indian tribes; duties of lessees and other lease interest owners, transporters, and purchasers of oil and gas; reinstatement of onshore leases terminated by operation of law; and a requirement that the Secretary study whether royalties are adequate for coal, uranium, and non-energy leasable minerals.

The Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 226, et seq.)

Establishes a new oil and gas leasing system, and changes certain operational procedures for onshore Federal lands.

The Combined Hydrocarbon Leasing Act of 1981 (30 U.S.C. 181, 351)

Permits the owners of oil and gas leases issued after November 16, 1981, to explore, develop, and produce tar sands. Authorizes the issuance of combined hydrocarbon leases in specified areas designated by the Department of the Interior on November 20, 1980.

Reorganization Plan No. 3 of 1946, §402 (60 Stat. 1099)

Transferred mineral leasing functions to the Secretary, from the Secretary of Agriculture, for certain acquired lands.

The Interior and Related Agencies Appropriations Act for 1981 (42 U.S.C. 6508)

Provides for competitive leasing of oil and gas in the National Petroleum Reserve in Alaska.

The Federal Coal Leasing Amendments Act of 1976 (30 U.S.C. 201, et seq.)

Requires competitive leasing of coal on public lands, and mandates a broad spectrum of coal operations requirements for lease management.

The Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a)

Establishes policy of fostering development of economically stable mining and minerals industries, their orderly and economic development, and studying methods for disposal of waste and reclamation.

The Geothermal Steam Act of 1970 (30 U.S.C. 1001)

Authorizes the Secretary to issue leases for the development of geothermal resources.

The Geothermal Steam Act Amendments of 1988

Lists significant thermal features within the National Park System requiring protection, provides for lease extensions and continuation of leases beyond their primary terms, and requires periodic review of cooperative or unit plans of development.

The Act of March 3, 1879, as amended (43 U.S.C. 31(a))

Provides for the inventory and classification of the public lands, and examination of the geologic structure, mineral resources, and products of the national domain.

The Act of March 3, 1909,

Provides the basic mandate under which BLM supervises minerals

as amended, and the Act of May 11, 1938 (25 U.S.C. 396, 396(a))

operations on Indian Lands. Provides that lands allotted to Indians, and unallotted tribal Indian lands, may be leased for mining purposes, as deemed advisable by the Secretary.

The Alaska Native Claims Settlement Act of 1971 (ANCSA) (43 U.S.C. 1612)

Requires the survey of Alaska Native lands for conveyance to Native corporations and individuals.

The Alaska Statehood Act, as amended (48 U.S.C. Chap. 2 note)

Requires the survey of lands for conveyance to the State.

The Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3101 et seq.)

Provides for the designation and conservation of certain public lands in Alaska. BLM responsibilities include six Wild and Scenic Rivers, nine study rivers, one National Conservation Area, one National Recreation Area, and one National Scenic Highway.

43 U.S.C. 2

Provides that the Secretary shall perform all executive duties pertaining to the surveying and sale of public lands, private claims of public lands, and the issuing of patents for all grants of land under the authority of the Government.

43 U.S.C. 52

Provides that the Secretary shall cause all public lands to be surveyed and monumented, that all private land claims shall be surveyed after they have been confirmed, and that the Secretary shall transmit plats of all lands surveyed to such officers as he may designate.

Federal Land Exchange Facilitation Act of 1988 (43 U.S.C. 1716)

Amends FLPMA to provide for the streamlining of Federal land exchange procedures.

Oregon Land Exchange Act of 2000 (P.L. 106-257)

Authorizes exchange of specified parcels of public and national forest lands in Oregon for specified parcels of private lands.

Utah West Desert Land Exchange Act of 2000 (P.L. 106-301)

Authorizes exchange of public lands for certain lands owned by the State of Utah within existing and proposed Wilderness Study Areas in the West Desert Region of Utah.

The Desert Land Act of 1877 (43 U.S.C. 321-323)

Provides authority to reclaim arid and semi-arid public lands of the western States through individual effort and private capital.

The Act of August 30, 1949, as amended (43 U.S.C. 687(b))

Authorizes the Secretary to dispose of public lands, and certain withdrawn Federal lands in Alaska, that are classified as suitable for housing and industrial or commercial purposes.

The Act of May 24, 1928, as amended (49 U.S.C. App. 211-213)

Authorizes the Secretary to lease contiguous unappropriated public lands (not to exceed 2,560 acres) for a public airport.

The Airport and Airway

Authorizes conveyance of lands to public agencies for use as

Improvement Act of 1982 (49 U.S.C. 2215)	airports and airways.
The Engle Act of February 28, 1958 (43 U.S.C. 156)	Provides that withdrawals for the Department of Defense for more than 5,000 acres shall be made by Congress.
The Recreation and Public Purposes Act of 1926, as amended (43 U.S.C. 869)	Authorizes the Secretary to classify public lands for lease or sale for recreation or public purposes.
The R&PP Amendment Act of 1988	Provides that suitable public lands may be made available for use as solid waste disposal sites, in a manner that will protect the U.S. against unforeseen liability.
The Burton-Santini Act (P.L. 96-586)	Authorizes the Secretary to sell not more than 700 acres of public lands per calendar year in and around Las Vegas, Nevada. The proceeds are to be used to acquire environmentally sensitive lands in the Lake Tahoe Basin of California and Nevada.
The Federal Power Act of 1920, as amended (16 U.S.C. 818)	Allows other uses of Federal waterpower withdrawals with Federal Energy Regulatory Commission approval.
Indian Self Determination And Education Assistance Act (P.L. 93-638)	Provides for non-competitive contracts, grants, or cooperative agreements entered into between a tribal organization and the Federal government for the planning, conduct, and administration of programs which enhance Indian educational achievement or provide other Federal services more responsive to the needs and desires of those communities.
The Resource Conservation and Recovery Act as amended by Federal Facility Compliance Act of 1992 (42 U.S.C. 6901-6992)	Authorizes EPA to manage, by regulation, hazardous wastes on active disposal operations. Waives sovereign immunity for Federal agencies with respect to all Federal, State, and local solid and hazardous waste laws and regulations. Makes Federal agencies subject to civil and administrative penalties for violations, and to cost assessments for the administration of the enforcement.
The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601-9673)	Provides for liability, risk assessment, compensation, emergency response, and cleanup (including the cleanup of inactive sites) for hazardous substances. Requires Federal agencies to report sites where hazardous wastes are or have been stored, treated, or disposed, and requires responsible parties, including Federal agencies, to clean-up releases of hazardous substances.
Community Environmental Response Facilitations Act of 1992 (42 U.S.C. 9620(h))	Amendment to the <i>Comprehensive Environmental Response, Compensation, and Liability Act of 1980</i> , as amended, which expands on the risk assessment requirements for land transfers and disposal.

The Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001-11050)

Requires the private sector to inventory chemicals and chemical products, to report those in excess of threshold planning quantities, to inventory emergency response equipment, to provide annual reports and support to local and State emergency response organizations, and to maintain a liaison with the local and state emergency response organizations and the public.

The Pollution Prevention Act of 1990 (42 U.S.C. 13101-13109)

Requires and encourages prevention and reduction of waste streams and other pollution through minimization, process change, and recycling. Encourages and requires development of new technology and markets to meet the objectives.

The Food Security Act of 1985 (7 U.S.C. 148f)

Provides for the transfer of funds to the Secretary of Agriculture for Mormon cricket and grasshopper control.

The General Mining Law of 1872, as amended (30 U.S.C. 22, et seq.)

Provides for locating and patenting mining claims where a discovery has been made for locatable minerals on public lands in specified States, mostly in the western U.S.

The Act of March 3, 1879, as amended, (43 U.S.C. 31(a))

Provides for the inventory and classification of the public lands, and examination of the mineral resources and products of the national domain.

The Mining and Minerals Policy Act of 1970, (30 U.S.C. 21a) (30 U.S.C. 1601, et seq.)

Sets out the policy of fostering development of economically stable mining and mineral industries, and studying methods for waste disposal and reclamation.

The Department of the Interior and Related Agencies Appropriations Act for 1989 (43 U.S.C. 1474)

Provides that receipts for 1989 and thereafter from administrative fees (service charges) established by the Secretary for processing actions relating to the administration of the General Mining Laws shall be immediately available to BLM for mining law administration program operations.

The Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66)

Establishes an annual \$100 per claim maintenance fee for unpatented mining claims and sites through 1998. The law allows a waiver from the fee for those claimants who hold 10 or fewer claims. It also establishes a \$25 per claim location fee for new claims, to be paid when they are recorded with BLM. The Act also broadened the BLM's authority to collect recreation use fees.

Executive Order 12906

The executive branch is developing, in cooperation with State, local, and tribal governments, and the private sector, a coordinated National Spatial Data Infrastructure to support public and private sector applications of geospatial data. BLM is charged with developing data standards, ensuring the capability to share cadastral data from the Public Land Survey System of the U.S. with partners.

National Fish and Wildlife Foundation Establishment

Established the National Fish and Wildlife Foundation as a nonprofit corporation to encourage, accept and administer private gifts of

Act, as amended, (16 U.S.C. 3701)	property, and to undertake activities to further the conservation and management of fish, wildlife, and plant resources of the U.S.
Southern Nevada Public Land Management Act of 1998 (P.L. 105-263)	Authorizes the orderly disposal of certain Federal lands through sale in Clark County, Nevada, and provides for the acquisition of environmentally sensitive lands within the State of Nevada.
Lincoln County Lands Act of 2000 (P.L. 106-298)	Authorizes disposal of certain Federal lands through public sale in Lincoln County, Nevada, and provides for use of the receipts.
Ivanpah Valley Airport Public Land Transfer Act (P.L. 106-145)	Authorizes sale at fair market value of certain lands in Clark County, Nevada to Clark County, for use as an airport. Provides that the funds be deposited in the special account for the Southern Nevada Public Lands Act, to be used for acquisition of private in-holdings in the Mojave National Preserve and protection of petroglyph resources in Clark County, Nevada.
The 1994 Interior and Related Agencies Appropriations Act (P.L. 103-138)	Provides that funds shall be available to BLM for mining law administration program operations, to be reduced by amounts collected from annual mining claim fees.
The 1996 Interior and Related Agencies Appropriations Act (P.L. 104-134)	Directs the Secretary of the Interior, acting through the Bureau of Land Management, to develop and implement a pilot recreation fee demonstration program to determine the feasibility of cost recovery for operation and maintenance of recreation areas and sites.
The 1999 Interior and Related Agencies Appropriations Act (P.L. 105-277)	Reauthorizes the collection of annual mining claim maintenance fees through 2001. Extends the recreation fee demonstration program through fiscal year 2001, with collected funds remaining available through fiscal year 2004.
The 2002 Interior and Related Agencies Appropriations Act (P.L. 107-63)	Reauthorizes the collection of annual mining claim maintenance fees through 2003. Extends the recreation fee demonstration program through fiscal year 2004, with collected funds remaining available through fiscal year 2007.
Notification and Federal Employee Anti-discrimination and Retaliation Act of 2001 (P.L. 107-174)	Requires Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws, and for other purposes.
P.L. 107-213	Re-designate certain lands within the Craters of the Moon National Monument, and for other purposes.
P.L. 107-138	Require the valuation of non-tribal interest ownership of subsurface rights within the boundaries of the Acoma Indian Reservation, and for other purposes.

- P.L. 107-345** Amends *U.S.C. Title 10* to make receipts collected from mineral leasing activities on certain naval oil shale reserves available to cover environmental restoration, waste management, and environmental compliance costs incurred by the U.S. with respect to the reserves.
- P.L. 107-346** To convey certain property to the City of St. George, Utah, in order to provide for the protection and preservation of certain rare paleontological resources on that property, and for other purposes.
- P.L. 107-361** Authorizes the Secretary of the Interior to convey certain public lands within the Sand Mountain Wilderness Study Area in Idaho to resolve an occupancy encroachment dating back to 1971.
- P.L. 107-350** Provides for the conveyance of certain public land in Clark County, Nevada, for use as a shooting range.
- Big Sur Wilderness and Conservation Act of 2002 (P.L. 107-370)** Designates certain lands in the State of California as components of the National Wilderness Preservation System, and for other purposes.
- P.L. 107-371** Directs the Secretary of the Interior to disclaim any Federal interest in lands adjacent to Spirit Lake and Twin Lakes in Idaho resulting from possible omission of lands from an 1880 survey.
- P.L. 107-374** Direct the Secretary of the Interior to grant to Deschutes and Crook Counties, Oregon, a right-of-way to West Butte Road.
- Clark County Conservation of Public Land and Natural Resources Act of 2002 (P.L. 107-282)** Establishes Wilderness Areas, promote conservation, improve public land, and provide for high quality development in Clark County, Nevada, and for other purposes.
- Burnt, Malheur, Owyhee, and Powder River Basin Water Optimization Feasibility Study Act of 2001 (P.L. 107-237)** A bill to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River, Malheur River, Owyhee River, and Powder River Basins.
- P.L. 107-324** A bill to direct the Secretary of the Interior to convey certain land to the City of Haines, Oregon.
- Old Spanish Trail Recognition Act of 2002 (P.L. 107-325)** A bill to amend the National Trails System Act to designate the Old Spanish Trail as a National Historic Trail.

SUMMARY OF REQUIREMENTS (\$000)

Comparison by Activity/ Subactivity	2002 Actual		2003 Estimate		Uncontrollable & Related Changes (+/-)		Program Changes (+/-)		2004 Budget Request		Inc(+) Dec(-) from 2003	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Management Of Lands and Resources	6,602	788,027	6,406	812,990	0	+9,375	+42	+5,714	6,448	828,079	+42	+15,089
Land Resources	1,625	179,209	1,549	177,557	0	+1,402	+13	+448	1,562	179,407	+13	+1,850
Soil, Water, Air Mgt	252	34,430	240	34,683	0	+242	+2	+11	242	34,936	+2	+253
Range Mgt	756	70,594	715	69,754	0	+618	+2	-192	717	70,180	+2	+426
Forestry Mgmt	69	7,619	67	7,235	0	+62	+5	+900	72	8,197	+5	+962
Riparian Mgt	219	22,778	209	21,786	0	+188	+2	-2	211	21,972	+2	+186
Cultural Resources Mgt	141	14,159	137	14,382	0	+136	+2	+182	139	14,700	+2	+318
Wild Horse and Burro Mgt	188	29,629	181	29,717	0	+156	0	-451	181	29,422	0	-295
Wildlife & Fisheries	293	37,384	279	33,755	0	+268	+2	+269	281	34,292	+2	+537
Wildlife Mgt	201	25,287	191	22,086	0	+186	+1	+151	192	22,423	+1	+337
Fisheries Mgt	92	12,097	88	11,669	0	+82	+1	+118	89	11,869	+1	+200
Threatened & Endangered Species	191	21,591	185	21,288	0	+177	+2	+366	187	21,831	+2	+543
Recreation	637	63,812	612	62,696	0	+559	+10	+3,462	622	66,717	+10	+4,021
Wilderness Mgt	178	17,207	168	17,093	0	+155	0	-249	168	16,999	0	-94
Recreation Resource Mgt	443	45,700	429	44,603	0	+404	+10	+3,711	439	48,718	+10	+4,115
Recreation Operations Fees	16	905	15	1,000	0	0	0	0	15	1,000	0	0

Comparison by Activity/ Subactivity	2002 Actual		2003 Estimate		Uncontrollable & Related Changes (+/-)		Program Changes (+/-)		2004 Budget Request		Inc(+) Dec(-) from 2003	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Energy & Minerals	940	95,393	924	104,841	0	+899	+8	+185	932	105,925	+8	+1,084
Oil and Gas Mgt	755	76,499	743	84,936	0	+706	+8	+311	751	85,953	+8	+1,017
Coal Mgt	76	8,815	74	9,588	0	+82	0	-132	74	9,538	0	-50
Other Mineral Resources Mgt	109	10,079	107	10,317	0	+111	0	+6	107	10,434	0	+117
Alaska Minerals	17	3,997	12	2,228	0	+10	0	-16	12	2,222	0	-6
Realty and Ownership	782	84,576	747	85,250	0	+688	0	-5,005	747	80,933	0	-4,317
Alaska Conveyance	254	36,301	238	35,067	0	+205	0	-2,329	238	32,943	0	-2,124
Cadastral Survey	141	14,523	132	14,022	0	+127	0	-204	132	13,945	0	-77
Land and Realty Mgt	387	33,752	377	36,161	0	+356	0	-2,472	377	34,045	0	-2,116
Communications Sites Mgt	30	-3	30	0	0	0	0	0	30	0	0	0
Fee Collection	30	1,997	30	2,000	0	0	0	0	30	2,000	0	0
Offsetting Fees	0	-2,000	0	-2,000	0	0	0	0	0	-2,000	0	0
Resource Protection & Maintenance	437	61,617	456	76,227	0	+493	+7	+2,950	463	79,670	+7	+3,443
Resource Mgt Planning	225	33,000	252	47,301	0	+256	0	+589	252	48,146	0	+845
Resource Protection & Law Enforcement	85	11,930	83	12,112	0	+91	+7	+2,595	90	14,798	+7	+2,686
Hazardous Materials Mgt	127	16,687	121	16,814	0	+146	0	-234	121	16,726	0	-88

Comparison by Activity/ Subactivity	2002 Actual		2003 Estimate		Uncontrollable & Related Changes (+/-)		Program Changes (+/-)		2004 Budget Request		Inc(+) Dec(-) from 2003	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
Transportation & Facilities Maintenance	434	77,803	426	77,958	0	+354	0	+32	426	78,344	0	+386
Operations	66	6,633	68	6,428	0	+43	0	-69	68	6,402	0	-26
Annual Maintenance	293	30,266	280	30,613	0	+311	0	+101	280	31,025	0	+412
Deferred Maintenance	35	12,910	33	11,889	0	0	0	0	33	11,889	0	0
Infrastructure Improvement	40	27,994	45	29,028	0	0	0	0	45	29,028	0	0
Workforce & Organizational Support	653	129,208	647	132,876	0	+4,443	0	+1,455	647	138,774	0	+5,898
Information Systems Operations	76	16,380	76	16,449	0	+78	0	+2,235	76	18,762	0	+2,313
Administrative Support	577	49,183	571	50,111	0	+486	0	-780	571	49,817	0	-294
Bureauwide Fixed Costs	0	63,645	0	66,316	0	+3,879	0	0	0	70,195	0	+3,879
Mining Law Administration	323	13,699	307	0	0	0	0	0	307	0	0	0
Mining Law Administration	323	32,250	307	32,696	0	0	0	0	307	32,696	0	0
Offsetting Fees	0	-18,551	0	-32,696	0	0	0	0	0	-32,696	0	0
Land and Resources Information Systems	75	19,741	71	19,341	0	+82	0	-432	71	18,991	0	-350
Grasshoppers & Mormon Crickets	2	0	1	0	0	0	0	0	1	0	0	0
Challenge Cost Share	0	0	0	18,973	0	0	0	+2,000	0	20,973	0	+2,000
Reimbursables (\$ are non-add)	163	43,000	160	46,000	0	0	0	+12,000	160	58,000	0	+12,000

JUSTIFICATION OF UNCONTROLLABLE COST CHANGES (\$000)

	2003 Estimate	2004 Change
2003 Pay Raise	+1,302	+1,591
This adjustment is for an additional amount needed in 2004 to fund the remaining 3-month portion of the estimated cost of the, on average, 3.1 percent pay increase effective in January 2003.		
2003 Pay Raise	[9,075]	[1,868]
The remainder of the estimated cost of funding the remaining 3-month 3.1 percent January 2003 pay increase in 2004 for GS-series employees and the associated pay rate changes made in other pay series will be absorbed through increased efficiencies such as delayering organizations, contracting out work more appropriately done in the private sector, re-examining position grades, and management streamlining. Also, BLM will use cost recovery procedures, where appropriate, to reduce dependency on appropriated funds.		
2004 Pay Raise		+3,100
This adjustment is for a portion of the additional costs of funding an estimated 2 percent January 2004 pay increase for GS-series employees and the associated pay rate changes made in other pay series.		
2004 Pay Raise		[3,640]
The remainder of the estimated cost of funding the 2 percent January 2004 pay increase for GS-series employees and the associated pay rate changes made in other pay series will be absorbed through increased efficiencies such as delayering organizations, contracting out work more appropriately done in the private sector, re-examining position grades, and management streamlining. Also, BLM will use cost recovery procedures, where appropriate, to reduce dependency on appropriated funds.		
Extra Pay Day		+804
This adjustment reflects the added costs resulting from the fact that there is one more payday in FY 2004 than in FY 2003.		
Extra Pay Day		[944]
The remainder of the estimated cost of funding one additional pay day in 2004 will be absorbed through increased efficiencies such as delayering organizations, contracting out work more appropriately done in the private sector, re-examining position grades, and management streamlining. Also, BLM will use cost recovery procedures, where appropriate, to reduce dependency on appropriated funds.		
GSA Space	+25,534	+766
The adjustment is for changes in the costs payable to General Services Administration resulting from changes in rates for office and non-office space as estimated by GSA, as well as the costs of mandatory office relocation.		
Departmental Working Capital Fund	+4,962	+386
The amount requested reflects expected changes in the charges for Department services and other services through the working capital fund. It includes a reduction in National Business Center and other WCF-supported functions due to 2004 reductions in IT costs. These charges are displayed and explained in the Budget Justifications for Departmental Management.		

	2003 Estimate	2004 Change
Worker's Compensation	+6,555	+858
The adjustment is for actual charges through June 2002, in the costs of compensating injured employees and dependents of employees who suffered accidental deaths while on duty. Costs for 2004 are for the 12-months ending June 2002 and will reimburse the Department of Labor, Federal Employees Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by P.L. 94-273.		
Unemployment Compensation	+3,747	-154
The adjustment is for estimated changes in the costs of unemployment insurance claims to be paid to the Department of Labor, Federal Employees Compensation Account, in the Unemployment Trust Fund, pursuant to <i>P.L. 96-499</i> .		
Health Costs	+30,124	+2,024
This adjustment is for changes in the Federal government's share of the cost of health insurance coverage for Federal employees.		
Total Uncontrollable Costs Absorbed	[9,075]	[6,452]