



Clean Energy Jobs^{and} Oil Company Accountability Act

Land and Water Conservation Fund

Background

The Land and Water Conservation Fund (LWCF) is the principal funding source used by the Departments of Interior and Agriculture to acquire lands for outdoor recreation. Over the history of the program, these LWCF funds have helped to improve key recreation and conservation sites in almost every National Forest and Wildlife Refuge east of the Rockies.

The LWCF also funds land acquisition and recreational development by state and local governments through a grant program administered by the National Park Service, commonly referred to as “stateside funding.” The stateside grant funding is matched dollar for dollar and grant recipients are required to keep the land and facilities in protected status in perpetuity and, therefore, open to the public forever for recreation and enjoyment.

Funding

The LWCF is authorized at \$900 million through Fiscal Year 2015 and has revenue directed to it primarily from oil and gas leasing in the Outer Continental Shelf, but also motorboat fuel taxes and surplus property sales.

Despite the directed revenue, funding for the LWCF must be allocated and approved through the annual appropriations or budget processes. The LWCF’s appropriated levels of funding have varied widely though, chiefly because the revenues dedicated to it have been used to fund other programs. The following chart shows the appropriated funding levels for the LWCF over the last seven fiscal years and their levels below the authorized levels.

Total LWCF Appropriations (Millions of Dollars)	FY- 2004	FY- 2005	FY- 2006	FY- 2007	FY- 2008	FY- 2009	FY- 2010
Bureau of Land Management	\$18.4	\$11.2	\$8.6	\$8.6	\$8.9	\$14.8	\$29.7
Fish and Wildlife Service	\$38.1	\$37	\$28	\$28	\$34.6	\$42.5	\$86.3
National Park Service	\$41.7	\$55.1	\$34.4	\$34.4	\$41.1	\$45.2	\$86.3
Forest Service	\$66.4	\$61	\$40.9	\$41.9	\$41.2	\$49.8	\$63.5
State Grants	\$93.8	\$91.2	\$29.6	\$29.6	\$26.1	\$19	\$40
Other Programs	\$229.7	\$203.5	\$213.1	\$216.1	\$101.3	\$107.7	\$144.6
Total	\$488.1	\$459	\$354.6	\$358.6	\$253.2	\$279	\$450.4
Amount Below Authorized Level	\$411.9	\$441	\$545.4	\$541.4	\$646.8	\$621	\$449.6
Percentage Below Authorized Level	46%	49%	61%	60%	72%	69%	50%

*Source: Department of Interior

Backlog

The inadequate funding levels for the LWCF has resulted in a backlog of federal land acquisitions needs to increase from \$10 billion in 2001 to more than \$30 billion in 2009.

Legislation

The Clean Energy Jobs and Oil Company Accountability Act would end the years of inadequate funding for the LWCF by making the \$900 million authorization permanent and providing full funding for the program without further appropriation for the next 5 fiscal years.

In Fiscal Year 2016, \$500 million will be made available from the LWCF, without further appropriation, with additional amounts available if appropriated. All funding from the LWCF in fiscal years 2017, 2018, 2019, and 2020 would subject to appropriations.

Beginning in Fiscal Year 2021, and each year thereafter, \$500 million will be made available for expenditure from the LWCF without further appropriation, with additional amounts available if appropriated.

The legislation would require the President to submit a priority list for Federal land acquisition projects as part of the annual budget proposal. The funds would be available for these lists of projects 15 days after the date on which the Congress adjourns sine die for each year.

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However, if Congress enacts legislation establishing an alternate priority list, and the priority list provides for less than the annual authorized funding amount, the difference between the authorized funding amount and the alternate priority list shall be available for expenditure, without further appropriation, in accordance with the priority list submitted by the President.

Benefits

The dedication of regular resources to the LWCF would help ensure land and water is protected long into the future—even from the effects of climate change.