Federal Policies and Funding for Plants

*National Native Seed Conference*

*Washington, D.C.  February*

*Robert H. Bradner, Partner*
Budget and Appropriations Basics
Federal Budget 101

- February – The President sends up a **Budget Proposal**
- Spring – Congress Develops a Budget Blueprint (resolution)
- Summer –
  - **Appropriations** Committees pass 13 Annual funding bills to fund **Discretionary** Programs
  - Authorizing Committees Pass a bill to make changes in Taxes and entitlements
- Fall – House and Senate Conference their bills and send final to President
- October 1\(^{st}\) – New Fiscal Year Begins
Federal Budget Reality

- President Obama’s Budget was Late
- Congress Never passed a Budget Resolution
- Appropriations Bills Never Made it Past Committee Votes
- Government was Temporarily funded until December
- Trump won the election
- Temporary Funding extended to April 28
- No sign want Trump wants for FY17 or FY18
Spending Breakdown

Total Federal Spending 2015: $3.8 Trillion

- Medicare & Health: $1,051.8 billion - 27%
- Military: $609.3 billion - 16%
- Interest on Debt: $229.2 billion - 6%
- Veterans' Benefits: $160.6 billion - 4%
- Food & Agriculture: $135.7 billion - 4%
- Education: $102.3 billion - 3%
- Transportation: $85 billion - 2%
- Housing & Community: $61.5 billion - 2%
- International Affairs: $50.2 billion - 1%
- Energy & Environment: $44.8 billion - 1%
- Science: $29.8 billion - 1%
- Social Security, Unemployment & Labor: $1,275.7 billion - 33%
Mandatory, Discretionary, Revenue

The graph illustrates the actual and projected revenue over the years from 2000 to 2045. It shows the breakdown of revenue into different categories: Net Interest, Health Care, Social Security, and Other Spending. The graph highlights trends and projections for future revenue growth.
## Federal R&D Spending

<table>
<thead>
<tr>
<th>Agency</th>
<th>FY14 Funding (in Millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defense</td>
<td>$63,856</td>
</tr>
<tr>
<td>HHS</td>
<td>$30,912</td>
</tr>
<tr>
<td>Energy</td>
<td>$11,359</td>
</tr>
<tr>
<td>NASA</td>
<td>$11,667</td>
</tr>
<tr>
<td>NSF</td>
<td>$5,729</td>
</tr>
<tr>
<td>Agriculture</td>
<td>$2,418</td>
</tr>
<tr>
<td>Commerce</td>
<td>$1,597</td>
</tr>
<tr>
<td>Veterans Affairs</td>
<td>$1,174</td>
</tr>
<tr>
<td>Interior</td>
<td>$840</td>
</tr>
<tr>
<td>Homeland Security</td>
<td>$1,032</td>
</tr>
<tr>
<td>Transportation</td>
<td>$853</td>
</tr>
<tr>
<td>EPA</td>
<td>$560</td>
</tr>
<tr>
<td>Other</td>
<td>$1,650</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$133,682</strong></td>
</tr>
</tbody>
</table>
Each Subcommittee produces a bill and a report

- **Bill**
  - statutory authority to spend money
  - force of law

- **Report**
  - Committee explanation of bill
  - provides background on decision making
  - provides executive branch with a better understanding of Committee’s intent
  - message sent to executive branch by use of terms such as “directs”, “recommends” and “encourages”
Native Plant Materials Development Program and National Seed Strategy
Seed Strategy and Native Plant Programs

Four Goals of the National Seed Strategy

- Identify need and ensure availability of genetically appropriate seed
- Identify and conduct research to provide appropriate seed, improve seed production and ecosystem restoration
- Develop tools for land managers to make timely and informed decisions
- Develop Strategies for Internal and External Communication

*President’s FY2017 Budget asks for $5 million (BLM) to Implement Strategy*

Plant Conservation Program (BLM)

- Identify evaluate and protect rare plants on public land
- Develop genetically appropriate material for sage grouse and other habitat
- Lead on native plant materials development and monitor effectiveness
- Seeds of Success (banking)
- Transfer Zones
- Coordinate Seed Storage Warehouses
- Enhance Partnerships and Volunteer Opportunities
Plant Conservation Program

Program Components

Public lands contain a diversity of native plant communities that are the habitats for fish, plants, pollinators, and wildlife such as the sage-grouse and desert tortoise. These native plant communities make up over 50 ecoregions across the BLM and each ecoregion contains native plants that have adapted to those environments. The BLM Plant Conservation Program is responsible for protecting, maintaining, and restoring Western native plant communities and rare plants on public lands. The Program provides national leadership in seed collection, seed conservation, seed procurement and storage, and native plant materials development/use for restoration and rehabilitation of public land. This aspect of the program is part of the broader, interagency National Seed Strategy (see above). New funding to implement the National Seed Strategy will enhance and increase the current program of work. In addition, the Plant Conservation Program is responsible for rare plant work.
The Committee commends the Bureau for completing the **National Seed Strategy** and provides **$1,000,000 to implement it.** The Committee continues to believe the Bureau should focus on increasing the availability of appropriate seed to address high-priority restoration needs and to collaboratively work with other Federal agencies, States, researchers, and private partners to implement the strategy.
National Seed Strategy.--The Committee acknowledges the successful creation of a National Seed Strategy and, of the funds provided for wildlife management, $5,000,000 is to begin implementation of the Strategy, which is expected to expand efforts to respond with restoration resources to landscape-scale ecological changes due to drought, invasive species and catastrophic wildfires. The Committee encourages the Department to thoroughly and objectively undertake a comprehensive assessment of seed needs and capacities as the Strategy is implemented.

The Committee continues to support the Bureau's Plant Conservation Program which, in 2017, is expected to support implementation of the National Seed Strategy at a landscape level and to lead the interagency Native Plant Materials Development program, the Seeds of Success program, the Plant Conservation Alliance, several regional native plant materials development programs, and related research and programmatic activity.
Botanical Sciences Legislation
Botanical Sciences and Native Plant Materials Research, Restoration and Promotion Act (H.R. 1054)

- Developed by an informal collaboration of interested groups.

- Pull together and highlight existing programs and unmet needs and opportunities in the area of Botanical Sciences and Native Plants.

- Create a legislative vehicle around which various organizations can organize and focus their efforts

- Create an educational tool for elected officials, media and the public

- Encourage, introduction, consideration and enactment into law.
Problem: We Need more botanical sciences research

Solution: Authorize $10 million/year in funding for the BLM, USGS, FWS and NPS to support intramural and extramural research on --

- Effective approaches to habitat restoration
- Methods for developing and using locally adapted native plant materials
- How to combat invasive, non-native species
- Mitigation Strategies related to medium and long term environment change
- Promoting the recovery of threatened and endangered species
Elements of the Legislation -- Personnel

Problem: We Need more botanical scientists

Solution: Create opportunities and incentives for individuals with Botanical Sciences Expertise --

- Authorize the BLM to hire by no later than September, 2018, twenty additional Botanical Science Personnel
  - Costs about $3 million

- Create a program of educational loan forgiveness for Botanical Sciences Personnel
  - Must commit to work for the Department for at least two years
  - Up to $50,000 in loan forgiveness
  - Modelled after similar successful programs that place health care providers in under-served areas.
  - Costs about $1 million
Elements of the Legislation --Demand

Problem: We Need to stimulate demand for native plant materials

Solution One: Create preference policies for the key agencies

– Applies to Departments of Interior, Agriculture, Defense

– In undertaking land management activities, including maintenance and restoration, preference shall be made for the use of locally-adapted native plant materials,

– Non-natives may be warranted in –
  • emergency restoration,
  • interim persistent measures,
  • When not available,
  • permanent alteration of plant community.
Elements of the Legislation -- Demand

Problem: We Need to stimulate demand for native plant materials

Solution Two: Use Federal buying power to drive demand

- Amend the Surface Transportation Act to direct that when states use their federal highway dollars for environmental restoration and pollution abatement efforts, they use *to the extent practicable*, native plant materials.

- Amend the Federal Building Code for development or redevelopment of any federal building with a footprint of 5,000 square feet to use strategies that *to the maximum extent technically feasible* use locally adapted native plant materials on all natural spaces.
Elements of the Legislation – Reinforce Efforts

Problem: The Native Plant Component of Federal Programs can get “Lost in the Shuffle”

Solution: Underscore the importance through various programs –

- Create an explicit authorization for the PCA Interagency Plant Materials Efforts and Implementation of the Seed Strategy

- Authorize BLM’s Native Plant Materials Development Program

- Amend the National Fish and Wildlife Foundation to implement native plant-specific funding

- Amend the Fish and Wildlife Act of 1956 to authorize grants to the states to protect rare and endangered plants
Questions?

www.hklaw.com
The Committee will identify and recommend, as appropriate, priority conservation needs for native plants and their habitats and coordinate implementation of programs for addressing those needs.
Messages for Congress

• Habitat and landscape ecosystem restoration on public lands must include an intense focus on plants and the use of locally-adapted native plants -- **there will be no sage grouse recovery without sage brush recovery**

• Please review and consider supporting the Botanical Sciences and Native Plant Materials Research, Restoration and Promotion Act when it is introduced in order to
  • Promote critical plant materials and restoration-related research
  • Enhance demand for botanical scientists
  • Drive demand for native plant materials
  • Support rare, endangered and native plants through federal programs

• Congress needs to support --
  • the Plant Conservation Alliance and the Native Plant Conservation Committee
  • Implementation Funding for the National Seed Strategy ($5 M)
  • Bureau of Land Management Interagency Native Plant Materials Development Program