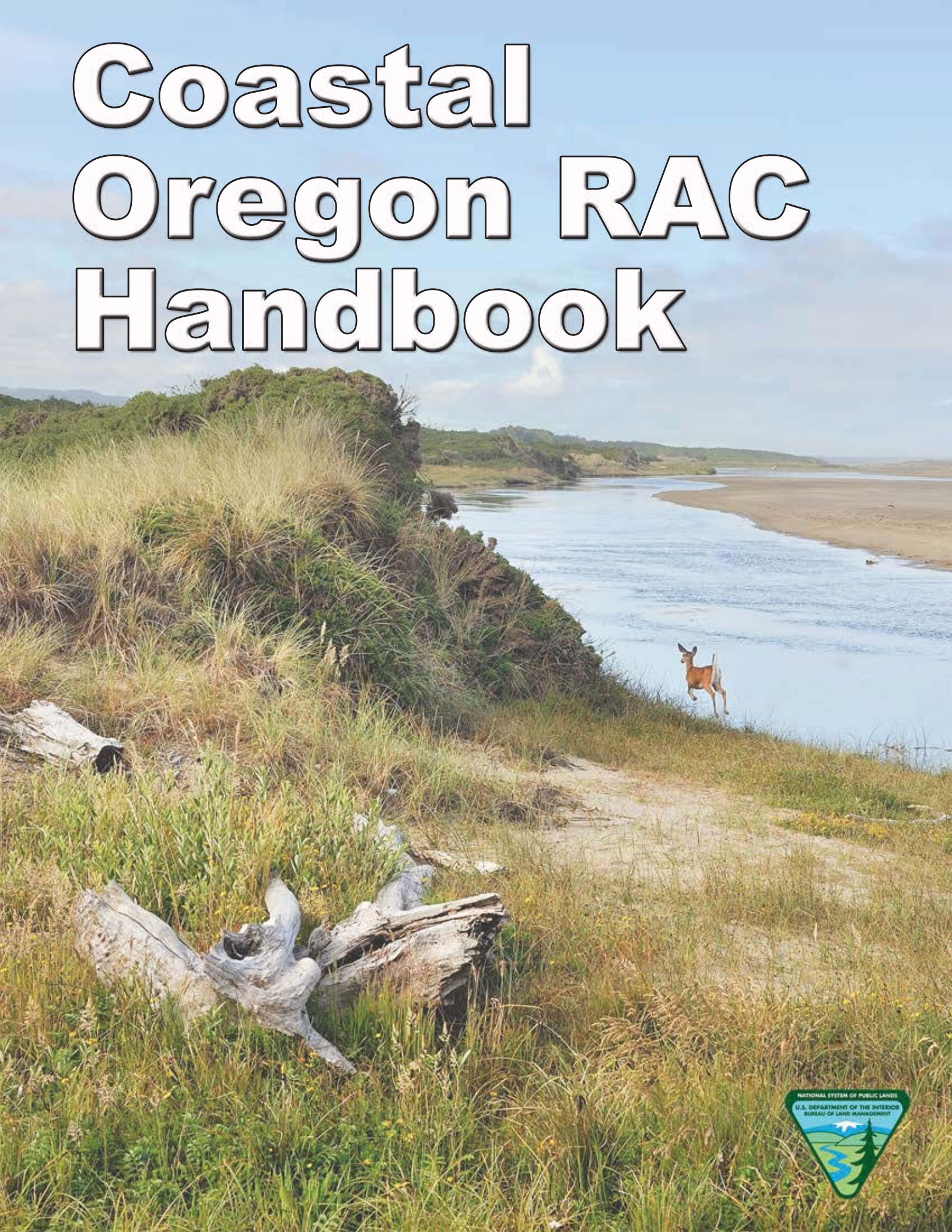
# Coastal Oregon RAC Handbook



# Coastal Oregon RAC Handbook

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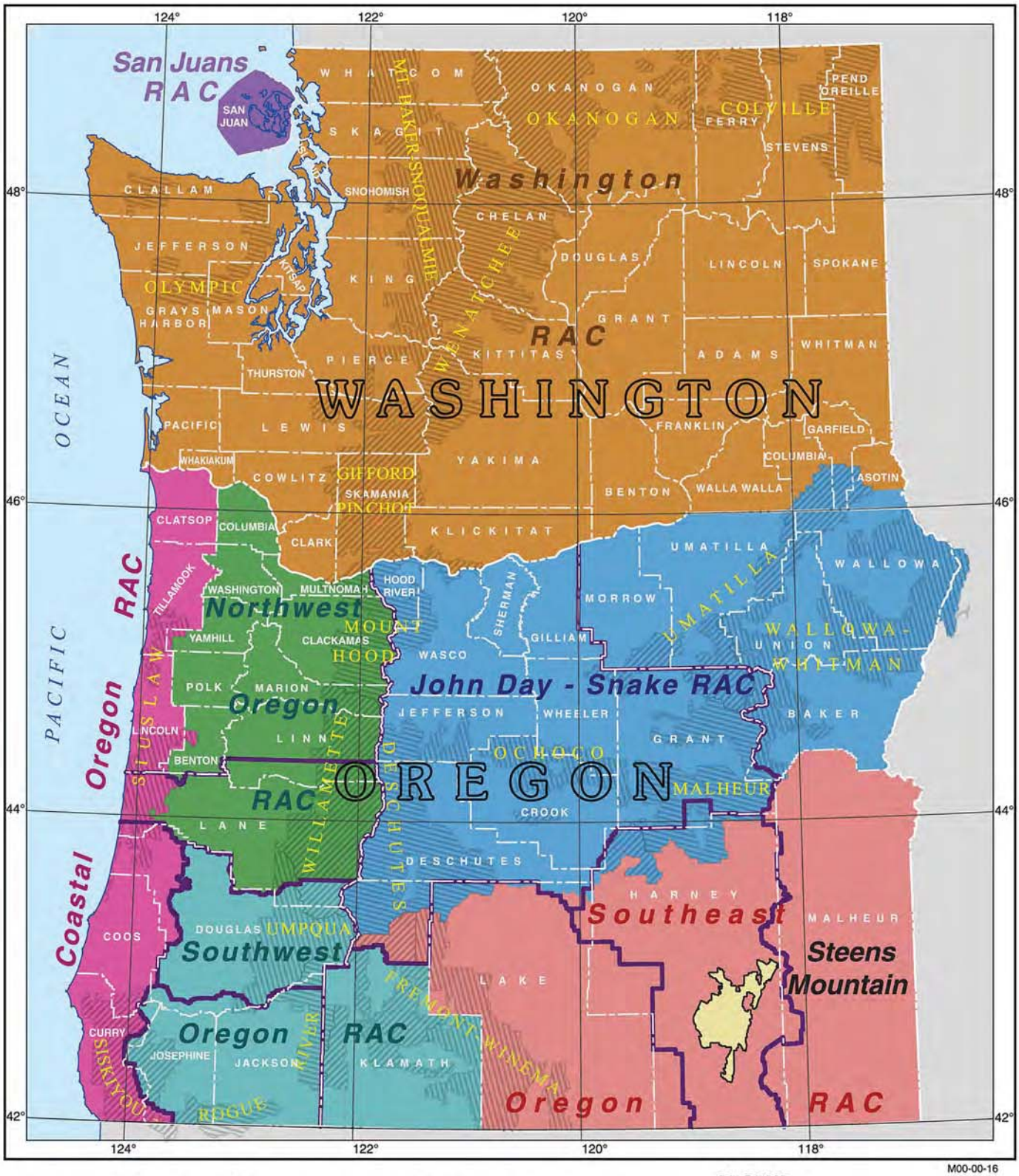
# BLM Oregon/Washington Resource Advisory Councils

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**LEGEND**

- STEENS MOUNTAIN ADVISORY COUNCIL (P.L.106-399)
- BLM DISTRICT BOUNDARY
- NATIONAL FOREST

propose to remove the ACEC designation from the current Carson Wandering Skipper ACEC (330 acres). Alternative D proposes to remove the ACEC designation from the Stewart Valley Paleontological ACEC (15,900 acres). Additionally, Alternatives B, C, D, and E propose to remove the ACEC designation from the Steamboat Hot Springs Geyer Basin ACEC (40 acres). One existing ACEC is proposed to be expanded under Alternatives B, C, D and E.

The new potential ACECs in Alternative B include: Black Mountain/Pistone Archaeological District (3,400 acres), Churchill Narrows Buckwheat Botanical (6,600 acres), Fox Peak Cultural (48,400 acres), Greater Sand Mountain (17,000 acres), Grimes Point Archaeological District (15,900 acres), Namazii Wunu Cultural (158,300 acres), Ruhenstroth Paleontological (2,300 acres), Tagim asa Cultural (81,800 acres), and the Virginia City National Landmark Historic District (14,700 acres). Alternative B would retain the existing Incandescent Rocks Scenic (1,100 acres), Stewart Valley Paleontological (15,900 acres), and the Virginia Range Williams Combleaf Botanical (470 acres) ACECs and would expand the Pah Rah High Basin Petroglyph ACEC (5,300 acres).

The new potential ACECs in Alternative C include: Black Mountain/Pistone Archaeological District (3,400 acres), Churchill Narrows Buckwheat Botanical (6,600 acres), Clan Alpine Greater Sage-Grouse (98,400 acres), Desatoya Greater Sage-Grouse (105,100 acres), Dixie Valley Toad (410 acres), Fox Peak Cultural (48,400 acres), Greater Sand Mountain (17,000 acres), Grimes Point Archaeological District (15,900 acres), Lassen Red Rock Scenic (800 acres), Namazii Wunu Cultural (158,300 acres), Pine Nut Bi-State Sage-Grouse (100,400 acres), Pine Nut Mountains Williams Combleaf Botanical (330 acres), Ruhenstroth Paleontological (2,300 acres), Sand Springs Desert Study Area (50 acres), Steamboat Buckwheat Botanical (80 acres), Tagim asa Cultural (81,800 acres), Virginia City National Landmark Historic District (14,700 acres) and the Virginia Mountains Greater Sage-Grouse (109,200 acres). Alternative C would retain the existing Carson Wandering Skipper (330 acres), Incandescent Rocks Scenic (1,100 acres), Stewart Valley Paleontological (15,900 acres), and the Virginia Range Williams Combleaf Botanical (470 acres) ACECs and would expand the Pah Rah High Basin Petroglyph ACEC (5,300 acres).

The new potential ACECs in Alternative D include: Black Mountain/Pistone Archaeological District (3,400 acres), Churchill Narrows Buckwheat Botanical (6,600 acres), Fox Peak Cultural (48,400 acres), Grimes Point Archaeological District (15,900 acres), Pine Nut Mountains Williams Combleaf Botanical (330 acres), Ruhenstroth Paleontological (2,300 acres), Tagim asa Cultural (81,800 acres), and the Virginia City National Landmark Historic District (14,700 acres). Alternative D would retain the existing Incandescent Rocks Scenic (1,100 acres) and the Virginia Range Williams Combleaf Botanical (470 acres) ACECs and would expand the Pah Rah High Basin Petroglyph ACEC (5,300 acres).

The new potential ACECs in Alternative E include: Churchill Narrows Buckwheat Botanical (6,600 acres), Fox Peak Cultural (48,400 acres), Grimes Point Archaeological District (15,900 acres), and the Ruhenstroth Paleontological (2,300 acres). Alternative E would retain the existing Incandescent Rocks Scenic (1,100 acres), Stewart Valley Paleontological (15,900 acres), and the Virginia Range Williams Combleaf Botanical (470 acres) ACECs and would expand the Pah Rah High Basin Petroglyph ACEC (5,300 acres).

The following management prescriptions could apply to potential ACECs, if formally designated, depending on each individual ACEC: avoid or exclude linear ROWs; avoid or exclude site-type ROWs; close to or place use constraints on fluid leasable mineral development; close to solid leasable mineral development; recommend withdrawal of locatable mineral development; close to saleable mineral development; not available for livestock grazing; manage as VRM Class II; Special Recreation Permits would not be issued; close to camping; closed or limited to designated routes for motorized travel; place seasonal restrictions of ground disturbing actions; prohibit the collection of vegetation; and seasonally closed for Native American cultural/religious use.

Public meetings on the Draft RMP/Draft EIS are currently scheduled for 5:00 to 7:00 p.m.; on January 13, at the John Ascuaga's Nugget (1100 Nugget Ave.) in Sparks, Nevada; on January 15, at the Fallon Convention Center (100 Campus Way) in Fallon, Nevada; on January 20, at the Mineral County Library (First & A Street) in Hawthorne, Nevada; on January 22, at the Carson Valley Inn (1627 US Hwy 395 N) in Minden, Nevada; and on January 29, at the Yerington Elementary School (112 N. California St.) in Yerington, Nevada. An additional public meeting will be held from 2:00 to 4:00 p.m., on January 24, at the Carson City Plaza Hotel and Event Center (801 South Carson Street) in Carson City, Nevada. Additional public meetings are anticipated in coordination with local County Commissions and Boards of Supervisors. Any such additional meetings will be announced at least 15 days in advance through public notices, media releases, and/or mailings.

Please note that public comments and information submitted including names, street addresses, and email addresses of persons who submit comments will be available for public review and disclosure at the above address during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, except holidays.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authority:** 40 CFR 1506.6, 40 CFR 1506.10, 43 CFR 1610.2

**Marci Todd,**

*Associate State Director, Nevada.*

[FR Doc. 2014–28004 Filed 11–26–14; 8:45 am]

BILLING CODE 4310–HC–P

## DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

**[LLOR912000.L10600000.DF0000. 15XL1109AF; HAG15–0032]**

## Notice of Intent To Establish the Southwest Oregon RAC, the Northwest Oregon RAC, and the Coastal Oregon RAC

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The Bureau of Land Management (BLM) is publishing this notice in accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act (FACA). The BLM gives notice that the Secretary of the Interior is establishing the Southwest Oregon Resource Advisory Council (RAC), the Northwest Oregon RAC, and the Coastal Oregon RAC. These RACs will provide advice to the Secretary of the Interior concerning the planning and

management of the public lands located in western Oregon's five BLM districts.

**FOR FURTHER INFORMATION CONTACT:** Stephen Baker, BLM Oregon RAC Lead, 1220 SW., 3rd Avenue, Portland, OR 97204, 503–808–6306. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to leave a message or question for the above individual. The FIRS is available 24 hours a day, 7 days a week. Replies are provided during normal business hours.

**SUPPLEMENTARY INFORMATION:** The FLPMA directs the Secretary of the Interior to involve the public in planning and issues related to management of lands administered by the BLM. Section 309 of FLPMA (43 U.S.C. 1739) directs the Secretary to establish 10- to 15-member citizen-based RACs that are consistent with FACA. The rules governing RACs are found at 43 CFR Subpart 1784. As required by FACA, RAC membership must be balanced and representative of the various interests concerned with the management of public lands. These three new RACs will operate on the principle of collaborative decision making and strive for consensus before making official recommendations to the BLM. The RACs will operate under one set of Standard Operating Procedures and will be chartered by the Secretary of the Interior. Members of these three new RACs will be appointed by the Secretary to represent the following three interest groups:

*Group 1—Persons Who:*

1. Represent energy and mineral development (with a special emphasis on transportation or rights-of-way interests);
2. represent the commercial timber industry;
3. represent organized labor or non-timber forest product harvester groups;
4. represent developed outdoor recreation, off-highway vehicle users, or commercial recreation (with a special emphasis on commercial or recreation fishing); or
5. hold Federal grazing or other land permits or represent nonindustrial private forest land owners.

*Group 2—Persons Who Represent:*

1. Nationally recognized environmental organizations;
2. regionally or locally recognized environmental organizations;
3. dispersed recreational activities;
4. archaeological and historical interests; or
5. nationally or regionally recognized wild horse and burro interest groups, wildlife or hunting organizations, or watershed associations.

*Group 3—Persons Who:*

1. Hold state elected office;
2. hold county or local elected office;
3. represent Indian tribes within or adjacent to the area for which the Council is organized;
4. are school officials or teachers with knowledge in natural resource management or the natural sciences; or
5. represent the affected public-at-large and/or are employed by a state agency responsible for the management of natural resources, land or water.

Members will be appointed to staggered 3-year terms. All members serve at the discretion of the Secretary. A call for nominations to recruit new members will be held in 2015 once the RACs are established.

**Authority:** 43 CFR 1784.4–1.

**Jerome E. Perez,**

*State Director, Oregon/Washington.*

[FR Doc. 2014–28140 Filed 11–26–14; 8:45 am]

BILLING CODE 4310–33–P

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

**[LLCAD01000L12100000. MD000015XL1109AF]**

### Call for Nominations for the California Desert District Advisory Council

**SUMMARY:** The Bureau of Land Management's (BLM) California Desert District is soliciting nominations from the public for six members to its District Advisory Council to serve three-year terms. Council members provide advice and recommendations to the BLM on the management of public lands in Southern California.

**ADDRESSES:** Nominations should be sent to Teresa Raml, District Manager, Bureau of Land Management, California Desert District Office, 22835 Calle San Juan De Los Lagos, Moreno Valley, CA 92553.

**FOR FURTHER INFORMATION CONTACT:** Stephen Razo, BLM California Desert District External Affairs, 22835 Calle San Juan De Los Lagos, Moreno Valley, California 92553–9046, (951) 697–5217. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The California Desert District Advisory Council is comprised of 15 private individuals who represent different interests and advise BLM officials on policies and programs concerning the management of over 10 million acres of public land in Southern California. The Council meets in formal session three to four times each year in various locations throughout the California Desert District. Council members serve without compensation other than travel expenses. Members serve three-year terms and may reapply to be nominated for reappointment to an additional three-year term.

Section 309 of the Federal Land Policy and Management Act directs the Secretary of the Interior to involve the public in planning and issues related to management of BLM-administered lands. The Secretary also selects Council nominees consistent with the requirements of the Federal Advisory Committee Act (FACA), which requires nominees appointed to the Council be balanced in terms of points of view and representative of the various interests concerned with the management of the public lands.

The Council also is balanced geographically, and the BLM will try to find qualified representatives from areas throughout the California Desert District. The District covers portions of eight counties, and includes more than 10 million acres of public land in the California Desert Conservation Area of Mono, Inyo, Kern, Los Angeles, San Bernardino, Riverside, and Imperial counties, as well as 300,000 acres of scattered parcels in San Diego, western Riverside, western San Bernardino, and Los Angeles counties (known as the South Coast).

Public notice begins with the publication date of this notice and nominations will be accepted for 45 days from the date of this notice. The six positions to be filled include one elected official, one representative of non-renewable resources groups or organizations, one representative of recreation groups or organizations, one representative of wildlife groups or organizations, and two representatives of the public-at-large. These six positions become vacant on Dec. 7, 2014.

Any group or individual may nominate a qualified person, based upon education, training, and knowledge of the BLM, the California Desert, and the issues involving BLM-administered public lands throughout Southern California. Qualified individuals may also nominate themselves.

The nomination form may be found on the Desert Advisory Council Web

**U. S. DEPARTMENT OF THE INTERIOR**
**BUREAU OF LAND MANAGEMENT**
**STATE OF OREGON**

# COASTAL OREGON RESOURCE ADVISORY COUNCIL CHARTER

1. **Official Designation:** Coastal Oregon Resource Advisory Council (Council).

2. **Authority:** The Council is a statutory advisory committee established under Section 309 of the Federal Land Policy and Management Act (FLPMA), as amended (43 U.S.C. 1739). The Bureau of Land Management (BLM) is subject to standards and procedures for the creation, operation, and termination of BLM resource advisory councils. Refer to the 1995 BLM regulations (43 CFR 1784) for specific regulations regarding composition (1784.6-1(c)); avoidance of conflict of interest (1784.2-2), calls for nominations (1784.6-1(e)), notice of meetings (1784.4-2), open meetings (1784.4-3), records (1784.5-3); course of instruction for members (1784.6-1(f); and quorum requirements (1784.6-1(e)). Pursuant to Section 804(c)(1)(D) of the Federal Lands Recreation Enhancement Act (REA) (18 U.S.C. § 6803(d)(1)(D)), the Council is authorized to make recommendations on BLM recreation fee proposals and the Secure Rural Schools and Community Self-Determination Act (Act) of 2000, P.L. 106-393, as amended by P.L. 110-343, Title VI (2008), and P.L. 112-141 (2012), the Council is authorized to make recommendations on Secure Rural Schools Title II project proposals. The Council is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Appendix. 2.

3. **Objectives and Scope of Activities:** The Council will serve in an advisory capacity concerning the planning and management of the public land resources located in whole or in part within the BLM's Coos Bay, Salem, and Eugene Districts.

4. **Description of Duties:** Council duties and responsibilities are generally as follows:

   a. Upon the request of the Designated Federal Officer (DFO), develop recommendations for the BLM with respect to land use planning, classification, retention, management, and disposal of public lands within the area for which the advisory council is established and such other matters as may be referred to it by the DFO.

   b. Review projects proposed under Title II of the Act by participating counties and other persons.

   c. Propose projects and funding concerned under 7123 of the Act to the Secretary of the Interior (Secretary).

   d. Provide early and continuous coordination with appropriate land management agency officials in recommending projects consistent with purposes of Title II of the Act.

e. Provide frequent opportunities for citizens, organizations, tribes, land management agencies, and other interested parties to participate openly and meaningfully, beginning at the early stages of the project development process under Title II of the Act.

f. Monitor projects that have been approved under Section 7124 and advise the DFO on the progress of the monitoring effects.

g. Make recommendations to the Secretary for any appropriate changes or adjustments to the projects being monitored by the Council.

*The Council may only address Title II projects when the Secure Rural Schools and Community Self-Determination Act is in effect.*

h. Upon the request of the DFO, the Council may make recommendations regarding a standard amenity recreation fee or an expanded amenity recreation fee whenever the recommendations relate to public concerns in the State or region covered by the Council regarding:

(1) The implementation of a standard recreation fee, an expanded amenity recreation fee, or the establishment of a specific recreation fee site;

(2) The elimination of a standard amenity recreation fee or an expanded amenity recreation fee; or

(3) The expansion or limitation of the recreation fee program.

*The Council may make these recommendations to the BLM when the BLM's amenity recreation fees are at issue and it would facilitate the effective implementation of the REA.*

**5. Official to Whom the Council Reports:** The Council provides advice to the Secretary through the DFO.

**6. Support:** Administrative support and funding for activities of the Council will be provided by the office of the DFO.

**7. Estimated Annual Operating Costs and Staff Years:** The annual operating costs associated with supporting the Council's activities are estimated to be $50,000, including all direct and indirect expenses and 0.30 Federal staff years of support.

**8. Designated Federal Officer:** The DFO is the Coos Bay District Manager who is a full-time, Federal employee appointed in accordance with agency procedures. The DFO will approve or call all Council and subcommittee meetings, prepare and approve all meeting agendas, attend all Council and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretary.

9. **Estimated Number and Frequency of Meetings:** The Council will meet approximately two to four times annually and at such other times as designated by the DFO.

10. **Duration:** Continuing.

11. **Termination:** The Council will become inactive 2 years from the date the Charter is filed unless, prior to that date, the Charter is renewed in accordance with the provisions of Section 14 of the FACA. The Council will not meet or take any action without a valid current charter.

12. **Membership and Designation:**

a. Council members appointed by the Secretary will be representative of the following three interest groups:

**(1) <u>GROUP 1 – PERSONS WHO:</u>**

(a) represent energy and mineral development (with a special emphasis on transportation or rights-of-way interests);

(b) represent the commercial timber industry;

(c) represent organized labor or non-timber forest product harvester groups;

(d) represent developed outdoor recreation, off-highway vehicle users, or commercial recreation (with a special emphasis on commercial or recreation fishing); or

(e) hold Federal grazing or other land permits or represent nonindustrial private forest land owners.

**(2) <u>GROUP 2 – PERSONS REPRESENTING:</u>**

(a) nationally recognized environmental organizations;

(b) regionally or locally recognized environmental organizations;

(c) dispersed recreational activities;

(d) archaeological and historical interests; or

(e) nationally or regionally recognized wild horse and burro interest groups, wildlife or hunting organizations, or watershed associations.

**(3) <u>GROUP 3 – PERSONS WHO:</u>**

(a) hold state elected office;

(b) hold county or local elected office;

(c) represent Indian tribes within or adjacent to the area for which the Council is organized;

(d) are school officials or teachers with knowledge in natural resource management or the natural sciences; or

(e) represent the affected public-at-large and/or be employed by a state agency responsible for the management of natural resources, land or water.

b. The Council will be comprised of 15 members distributed in a balanced fashion among the three interest groups.

c. Members will be appointed to staggered 3-year terms. All members serve at the discretion of the Secretary.

**13. Ethics Responsibilities of Members:** No Council or subcommittee member will participate in any specific party matter including a lease, license, permit, contract, claim, an agreement or related litigation with the Department of the Interior in which the member has a direct financial interest. As provided in 43 CFR 1784.2-2, members of the Council shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by the BLM or in any litigation related thereto.

**14. Subcommittees:** Subject to the DFO's approval, subcommittees may be formed for the purposes of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the BLM. The Council Chairperson, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.

**15. Recordkeeping:** The records of the Council, and formally and informally established subcommittees of the Council, shall be handled in accordance with General Record Schedule 26, Item 2, and other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

_____ _____

Secretary of the Interior Date

_____

Date Filed

# BYLAWS AND STANDARD OPERATING PROCEDURES
# COASTAL OREGON RESOURCE ADVISORY COUNCIL
# COOS BAY DISTRICT AND COASTAL AREAS
# OF THE SALEM AND EUGENE DISTRICTS

## Section I: Membership Selection and Appointment

**A. General Requirements:** Northwest Oregon Resource Advisory Council (Council) members are appointed by and serve at the pleasure of the Secretary of the Interior (Secretary). To be eligible for appointment to the Council, a person must be qualified through education, training, knowledge, or experience to give informed and objective advice regarding an industry, discipline, or interest specified in the Council's charter; have demonstrated experience or knowledge of the geographical area under the purview of the advisory Council; have demonstrated a commitment to collaborate in seeking solutions to a wide spectrum of resource management issues; and have the ability to represent his/her designated constituency. The Bureau of Land Management (BLM) will consider nominations for Council membership from local government, organizations, and individuals. Council members must be residents of Oregon. Nominees must be supported by letters of recommendation from the groups or interests they intend to represent.

**B. Term Length:** Council members will be appointed to serve three-year terms, concurrent with the Council's charter.

**C. Termination of Service:** The Secretary or the Designated Federal Official (DFO) may, after written notice, terminate the service of a member if, in the judgment of the Secretary or DFO, removal is in the public interest. Members may also be terminated if they no longer meet the requirements under which they were appointed, fail to or are unable to participate regularly in Council work, or have violated Federal law or the regulations of the Secretary. When a member fails to regularly attend meetings, the DFO will inform the member, in writing, that his or her service on the Council could be terminated. When any member fails to attend two consecutive meetings without good cause, the DFO or his/her designee may deem that member's position on the Council to have been vacated. Upon such determination, the DFO will inform the member, in writing, that his or her service on the Council is terminated.

**D. Vacancies:** Any vacancy on the Council will be filled by the Secretary for the balance of the vacating Council member's term in the same manner in which the original appointment was made. Such vacancies will be promptly reported to the DFO.

## Section II: Meeting Procedures

**A. Open Meetings:** The Council will meet as required. Meetings will be called by the DFO in consultation with the Chairperson. Unless otherwise determined in advance, in accordance with the Government in the Sunshine Act of 1976, all meetings are open.

**B. Agenda:** The Council agendas must be formally approved in advance by the DFO or his or her designee. The agenda will be distributed to the Council prior to each meeting and will be published with the notice of the meeting in the *Federal Register*.

**C. Minutes and Records:** Detailed minutes of each Council meeting will be kept and will contain a record of the persons present; a complete and accurate description of matters discussed and conclusions reached; and copies of all documents received, issued, or approved by the Council. The accuracy of all minutes will be certified by the Council Chairperson. Copies of the minutes will be maintained in the office of the DFO and will be available for public inspection and copying during regular business hours. Minutes are available online at: http://www.blm.gov/or/rac.

**D. Meetings:** The DFO will attend all meetings of the Council. Any organization, association, or individual may file a statement with or appear before the Council regarding topics on the meeting agenda, except that the DFO may require that presentations be reduced to writing and copies be filed with the Council. Regular Council business activities will be conducted using standard rules of order.

A notice of each meeting of the Council will normally be published in the *Federal Register* and distributed to the news media serving the jurisdictional area of the Council 30 days in advance of such meeting. However, if urgent circumstances prevent a 30-day notice, not less than a 15-day notice will suffice. The notice sets forth the purpose, time, and place of the meeting. If it becomes necessary to postpone or cancel a meeting, a notice will be published in the *Federal Register* and distributed to the local news media serving the geographic area as early as possible.

**Section III: Role of Council Officials**

**A. Chairperson:** The Council will elect its own officers from among its members annually, usually at the first meeting of each calendar year.

**B. Designated Federal Officer:** The DFO serves as the Government's agent for all matters related to the Council's activities. By law, the DFO must: (1) approve or call the meeting of the Council, (2) approve agendas, (3) attend all meetings, (4) adjourn the meetings when such adjournment is in the public interest, and (5) chair meetings of the Council when so directed by the Secretary or his or her designee.

In addition, the DFO is responsible for providing adequate staff support to the Council, including performance of the following functions: (1) notifying members of the time and place for each meeting; (2) maintaining a record of all meetings, including task group activities, as required by law; (3) maintaining the roll; (4) preparing the minutes of all meeting of the Council deliberations; (5) attending to official correspondence; (6) maintaining official Council records and filing all paper and submissions prepared for or by the Council; and (7) preparing and handling all reports, including the annual report as required by the Federal Advisory Committee Act.

# RAC Recruitment Strategy / Communication Plan *Template*

## Introduction

BLM Oregon/Washington is preparing for the 2015 RAC recruitment drive ("call for nominations"). This recruitment strategy/communications plan template may help your district develop a proactive and comprehensive plan to ensure a successful recruitment effort and avoid needing a second or third call for nominations.

## Communications Goals

- The BLM _____ District is soliciting nominations from the public for ___ (#) positions on its _____ Resource Advisory Council.
- The 15-member RAC provides advice and recommendations to the BLM on a variety of land management and natural resource issues. Over the next year, the _____ RAC will be advising the BLM on… [describe some of the issues your RAC will be tackling over the next year or two.]
- RACs have been successful in bringing together diverse interests to collaboratively advise the BLM on important land management issues and have aided in the development of balanced decisions that serve the interests of all public land users.
- The 45-day recruitment efforts begins with the publication of the call for nominations notice in the *Federal Register*.
- The positions to be filled include… [list specific positions your district is recruiting to fill].
- The RAC meets two to four times each year. RAC members serve without compensation. Members serve three-year terms.
- Any group or individual may nominate a qualified person, based upon education, training, and knowledge of the BLM and public lands. Qualified individuals also may nominate themselves.
- More information about the ____ RAC, including the application, can be found online at _____.
- Nominations are due by _____ (45 days after the *Federal Register* notice publication date).

## Key Contacts

[List all relevant interest groups, stakeholders, local officials, partners, etc. to contact regarding nominating qualified candidates to serve on the RAC.]

## Outreach Strategies

- Before the call for nominations begins, determine how many and which positions your RAC needs to fill during this year's call for nominations.

- Identify what early/proactive "soft recruiting" your district can do before the official recruitment period begins? (Lining up potential nominees, contacting key constituencies, "heads-up" calls/emails to relevant interest groups, etc.)

- Develop detailed strategy before the call for nominations begins, including which organizations and individuals to contact, assign employees/managers to make calls and follow-up calls (who will contact X, who will contact Y, who will contact Z, etc.).

- Draft district/RAC-specific news release before call for nominations begins.

- The official recruitment period begins with the "Call for Nominations" notice published in the *Federal Register* (usually late January).

- District PAO works with State Office Public Affairs staff to update RAC webpage with relevant recruitment need-to-know information.

- District distributes press release to local media, emails to district contacts on office email lists.

- District manager calls ____, field managers call _____, specialists call _____, PAO calls _____.

- Schedule frequent check-in meetings to monitor progress, follow up, and adjust strategy as needed.

## Action Items

Before the call for nominations is published, districts should develop a detailed, coordinated strategy for contacting interest groups, stakeholders, and potential applicants. Break down each specific action item, assign a date and who's responsible. Schedule frequent check-ins and follow-ups throughout the 45-day call for nominations period to monitor progress and adjust strategy as needed.

| WHEN | WHAT | WHO |
|---|---|---|
| [date] | [specific action item] | [employee responsible] |
| | | |
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| | | |
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## Products and Materials

- Communication Plan
- Press Release
- RAC Map
- Application

**Draft text for Press Release** **Contact:**

## BLM Seeks Nominations to _____ Resource Advisory Council

The Bureau of Land Management (BLM) is soliciting nominations from the public for _____(#) positions on the _____ Resource Advisory Council (RAC). The RAC provides advice and recommendations to the BLM on the management of _____ million acres of public lands in the _____ Districts.

The RAC consists of 15 members with an interest or expertise in public land management. The diverse membership of each RAC helps ensure that BLM land managers get the varying perspectives they need to achieve their mission, which is to manage the public lands for multiple uses.

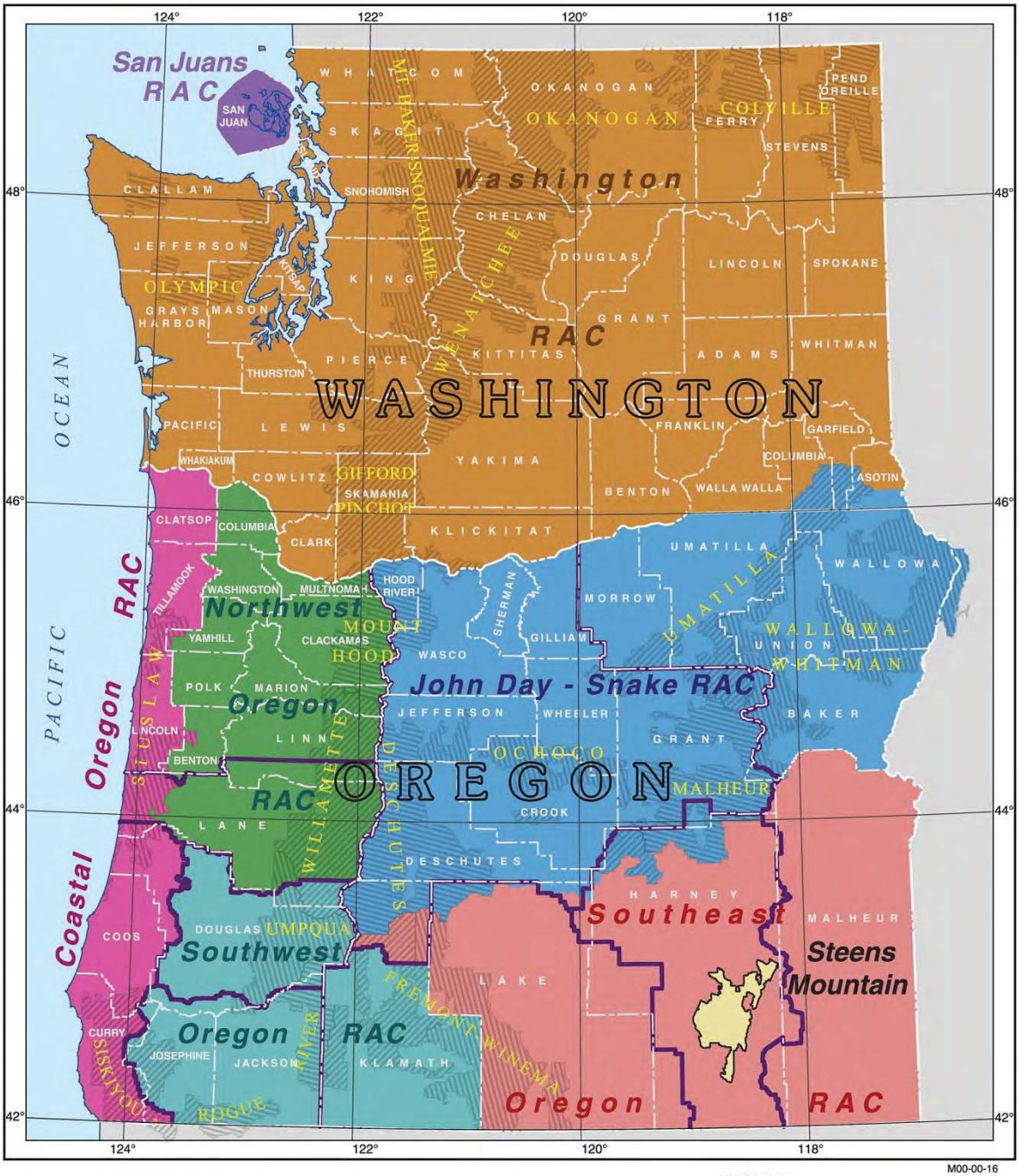
Members of these three new RACs will be appointed by the Secretary to represent the following three interest groups:

- Category One - Five members who represent energy and mineral development; the commercial timber industry; organized labor or non-timber forest product harvester groups; developed outdoor recreation, off-highway vehicle users, or commercial recreation; or Federal grazing or other land permits or represent nonindustrial private forest land owners.
- Category Two - Five members who represent nationally recognized environmental organizations; regionally or locally recognized environmental organizations; dispersed recreational activities; archaeological and historical interests; or nationally or regionally recognized wild horse and burro interest groups, wildlife or hunting organizations, or watershed associations.
- Category Three - Five members who hold state elected office; hold county or local elected office; represent Indian tribes within or adjacent to the area for which the Council is organized; are school officials or teachers with knowledge in natural resource management or the natural sciences; or represent the affected public-at-large and/or are employed by a state agency responsible for the management of natural resources, land or water.

"RACs have been successful in bringing together diverse interests to collaboratively advise the BLM on important land management issues," said Jerry Perez, BLM Oregon/Washington State Director. "Although these groups are advisory in nature, their contributions are of great value to the BLM and have aided in the development of balanced decisions that serve the interests of all public land users."

The deadline to apply is_____. For more information or to apply, visit [your RAC's webpage].

# BLM Oregon/Washington
# Resource Advisory Councils




No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

**LEGEND**

- STEENS MOUNTAIN ADVISORY COUNCIL (P.L.106-399)
- BLM DISTRICT BOUNDARY
- NATIONAL FOREST

# Bureau of Land Management
# Western Oregon Resource Advisory Council
# Application

Resource Advisory Councils (RAC) were established by the Federal Land Policy and Management Act (43 U.S.C. 1739), as citizen advisory groups to the Bureau of Land Management (BLM). These citizen-based groups provide an opportunity for individuals from all backgrounds and interests to have a voice in the management of America's public lands, and to help improve their health and productivity. RAC recommendations address all public land issues, including: land use planning, recreation, noxious weeds, and wild horse and burro herd management areas, to name just a few.

Members are appointed by the Secretary of the Interior to serve 3-year terms and may be re-appointed. Each RAC consists of 10 to 15 members from diverse interests in local communities, including ranchers, environmental groups, tribes, State and local government officials, academics, and other public land users. An individual may not serve concurrently on more than one RAC. Council members must reside in the states within the geographic jurisdiction of the RAC.

RAC members serve without salary, but are reimbursed for travel and per diem expenses at current rates for government employees. To be eligible for appointment to a RAC, a person must be qualified through education, training, knowledge, or experience. A RAC generally meets two-to-four times annually, or as needed to accomplish RAC business.

RAC members are generally expected to do the following:

- Attend meetings and field trips that have been scheduled in advance and participate in public discussion of issues during the meeting.

- Provide advice to the BLM officials on an informal basis, regarding issues that arise between formal meetings.

- Maintain up-to-date knowledge of issues affecting the RAC s geographic area.

- Provide BLM officials with opinions and advice that represents the point-of-view of the category represented by the RAC member, the member s experience and knowledge about the issue, and his/her reflection on data presented to the RAC by the public, BLM staff, or other sources.

- Provide feedback from the RAC meetings and interaction with the BLM staff and managers to specific interest groups. Provide the BLM with input and overview from interest groups.

The RACs have been successful in bringing diverse and often competing interests to the table to deal with matters of mutual concern. This inclusive approach has shown great promise as a means to successfully deal with long-standing issues of public land management. The RACs have demonstrated that consensus-driven recommendations often lead to sustainable outcomes that benefit natural resources and often enjoy a high level of public support.

# Bureau of Land Management
# Western Oregon Resource Advisory Council Application

All Fields Required
Attach additional pages if necessary

Name of Council to be considered for:

First Name

Full Middle Name

Last Name

Date of Birth

Home Address

City State Zip Code

Home Phone Number

Mailing Address
(if different than home)

City State Zip Code

Business Address

City State Zip Code

Business Phone Number

Email Address

Education: including colleges, degrees, major fields of study (or attach a resume)

Work history (or attach a resume)

List significant related experience, previous advisory committee experience, civic and professional activities, education, and training that qualifies you to serve on this committee. If applying as an elected official, please also include dates of service.

Describe your experience or knowledge of the committee's geographic area of jurisdiction?

Describe your experience working with disparate groups.

## Indicate the specific area(s) of interest you seek to represent:

**Category I:**

- ☐ I represent organized labor or non-timber forest product harvester groups;
- ☐ I represent developed outdoor recreation, off-highway vehicle users, or commercial recreation (with a special emphasis on commercial or recreation fishing;
- ☐ I represent energy and mineral development (with a special emphasis on transportation or rights-of-way interests);
- ☐ I represent the commercial timber industry; or
- ☐ I hold Federal grazing or other land permits or represent nonindustrial private forest land owners.

**Category II:**

- ☐ I represent nationally recognized environmental organizations;
- ☐ I represent regionally of locally recognized environmental organizations;
- ☐ I represent dispersed recreational activities;
- ☐ I represent archeological and historical interests; or
- ☐ I represent nationally or regionally recognized wild horse and burro interest groups, wildlife or hunting organizations, or watershed associations.

**Category III:**

- ☐ I hold state elected office (or a designee);
- ☐ I hold county or local elected office;
- ☐ I represent Indian tribes within or adjacent to the area for which the Council is organized;
- ☐ I am a school official or teacher with knowledge in natural resource management or the natural sciences; or
- ☐ I represent the affected public-at-large and/or am employed by a state agency responsible for the management of natural resources, land, or water.

Indicate any BLM permits, leases, or licenses that you hold personally or are held by your employer:

Are you a federally registered lobbyist: ☐ Yes ☐ No

Is at least one letter of recommendation attached or has a letter been sent on your behalf by the interest group or organization that you wish to represent? ☐ Yes ☐ No

Signature _____ Date _____

**NOTE:** Although applications are submitted to the BLM office within the RAC's area of jurisdiction, appointments are ultimately conferred by the Secretary of the Interior. Applications will be reviewed and nomination packages will be completed at the local level. Governors of affected States will be consulted during this process. Recommendations will be endorsed by the appropriate BLM State Director and forwarded to the BLM Washington Office. Following the BLM Director's endorsement, recommendations will be forwarded to the Department of the Interior for background checks, ethics, and other reviews before presentation to the Secretary. The time between submission of application and receipt of member appointment letter may take 4-5 months.

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The Privacy Act and the regulation at 43 CFR 2.48 (d) require that you be furnished the following information in connection with information required by this form.

**AUTHORITY:** The authority to request this information is contained in 5 U.S.C. App. 2, the Federal Advisory Committee Act; 5 U.S.C. 1739, the Federal Land Policy and Management Act; and 43 CFR Subpart 1784, Bureau of Land Management advisory committee regulations.

**PURPOSE:** The information will be used by the appointment officer to determine the qualifications such as education, training, and experience of candidates related to qualifications to serve on a Resource Advisory Council of the Bureau of Land Management.

**ROUTINE USES**: This information will be maintained in the Interior Volunteer Service File System (Interior/DOI-05) and is subject to routine uses of that system of records. These routine uses can be found at 66 FR 28536.

**DISCLOSURES**: Failure to submit this information will inhibit full consideration of a prospective advisory council member's qualifications, and could result in non-selection. If you are appointed as an advisor, the information will be retained by the appointing official as long as you serve. Otherwise, it will be destroyed 2 years after termination of your membership or returned (if requested) following announcement of the Council appointments.

**THE PAPERWORK REDUCTION ACT** requires us to inform you that: This collection is in accordance with the clearance requirements of 5 U.S.C. 3507. Completion of this form is required to obtain or retain a benefit. You do not have to respond to this or any other Federal agency-sponsored information collection and no Federal agency may conduct or sponsor such a collection, unless it displays a valid OMB control number. The information is used to determine qualifications, suitability, and availability for service on resource advisory councils. Failure to submit this information will inhibit full consideration of a prospective advisory council member's qualifications, and could result in non-selection.

**BURDEN HOURS STATEMENT:** The estimated public reporting burden for this form is 4 hours per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. You may submit comments regarding the burden estimate or any other aspect of this form to: U.S. Department of the Interior, Bureau of Land Management (1004-XXXX), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Room 2134LM, Washington, D.C. 20240.

# Secure Rural Schools and Community Self-Determination Act of 2000

## Public Law 106–393
## 106th Congress

## An Act

To restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes.

Oct. 30, 2000
[H.R. 2389]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*,

Secure Rural Schools and Community Self-Determination Act of 2000.
16 USC 500 note.

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the "Secure Rural Schools and Community Self-Determination Act of 2000".

(b) Table of Contents.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Definitions.
Sec. 4. Conforming amendment.

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

Sec. 101. Determination of full payment amount for eligible States and counties.
Sec. 102. Payments to States from National Forest Service lands for use by counties to benefit public education and transportation.
Sec. 103. Payments to counties from Bureau of Land Management lands for use to benefit public safety, law enforcement, education, and other public purposes.

TITLE II—SPECIAL PROJECTS ON FEDERAL LANDS

Sec. 201. Definitions.
Sec. 202. General limitation on use of project funds.
Sec. 203. Submission of project proposals.
Sec. 204. Evaluation and approval of projects by Secretary concerned.
Sec. 205. Resource advisory committees.
Sec. 206. Use of project funds.
Sec. 207. Availability of project funds.
Sec. 208. Termination of authority.

TITLE III—COUNTY PROJECTS

Sec. 301. Definitions.
Sec. 302. Use of county funds.
Sec. 303. Termination of authority.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Authorization of appropriations.
Sec. 402. Treatment of funds and revenues.
Sec. 403. Regulations.
Sec. 404. Conforming amendments.

TITLE V—MINERAL REVENUE PAYMENTS CLARIFICATION

Sec. 501. Short title.
Sec. 502. Findings.

Sec. 503. Amendment of the Mineral Leasing Act.

TITLE VI—COMMUNITY FOREST RESTORATION

Sec. 601. Short title.
Sec. 602. Findings.
Sec. 603. Purposes.
Sec. 604. Definitions.
Sec. 605. Establishment of program.
Sec. 606. Selection process.
Sec. 607. Monitoring and evaluation.
Sec. 608. Report.
Sec. 609. Authorization of appropriations.

16 USC 500 note.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—The Congress finds the following:

(1) The National Forest System, which is managed by the United States Forest Service, was established in 1907 and has grown to include approximately 192,000,000 acres of Federal lands.

(2) The public domain lands known as revested Oregon and California Railroad grant lands and the reconveyed Coos Bay Wagon Road grant lands, which are managed predominantly by the Bureau of Land Management were returned to Federal ownership in 1916 and 1919 and now comprise approximately 2,600,000 acres of Federal lands.

(3) Congress recognized that, by its decision to secure these lands in Federal ownership, the counties in which these lands are situated would be deprived of revenues they would otherwise receive if the lands were held in private ownership.

(4) These same counties have expended public funds year after year to provide services, such as education, road construction and maintenance, search and rescue, law enforcement, waste removal, and fire protection, that directly benefit these Federal lands and people who use these lands.

(5) To accord a measure of compensation to the affected counties for the critical services they provide to both county residents and visitors to these Federal lands, Congress determined that the Federal Government should share with these counties a portion of the revenues the United States receives from these Federal lands.

(6) Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest System lands be paid to States for use by the counties in which the lands are situated for the benefit of public schools and roads.

(7) Congress enacted in 1937 and subsequently amended a law that requires that 75 percent of the revenues derived from the revested and reconveyed grant lands be paid to the counties in which those lands are situated to be used as are other county funds, of which 50 percent is to be used as other county funds.

(8) For several decades primarily due to the growth of the Federal timber sale program, counties dependent on and supportive of these Federal lands received and relied on increasing shares of these revenues to provide funding for schools and road maintenance.

(9) In recent years, the principal source of these revenues, Federal timber sales, has been sharply curtailed and, as the volume of timber sold annually from most of the Federal lands

has decreased precipitously, so too have the revenues shared with the affected counties.

(10) This decline in shared revenues has affected educational funding and road maintenance for many counties.

(11) In the Omnibus Budget Reconciliation Act of 1993, Congress recognized this trend and ameliorated its adverse consequences by providing an alternative annual safety net payment to 72 counties in Oregon, Washington, and northern California in which Federal timber sales had been restricted or prohibited by administrative and judicial decisions to protect the northern spotted owl.

(12) The authority for these particular safety net payments is expiring and no comparable authority has been granted for alternative payments to counties elsewhere in the United States that have suffered similar losses in shared revenues from the Federal lands and in the funding for schools and roads those revenues provide.

(13) There is a need to stabilize education and road maintenance funding through predictable payments to the affected counties, job creation in those counties, and other opportunities associated with restoration, maintenance, and stewardship of Federal lands.

(14) Both the Forest Service and the Bureau of Land Management face significant backlogs in infrastructure maintenance and ecosystem restoration that are difficult to address through annual appropriations.

(15) There is a need to build new, and strengthen existing, relationships and to improve management of public lands and waters.

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To stabilize payments to counties to provide funding for schools and roads that supplements other available funds.

(2) To make additional investments in, and create additional employment opportunities through, projects that improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality. Such projects shall enjoy broad-based support with objectives that may include, but are not limited to—

(A) road, trail, and infrastructure maintenance or obliteration;

(B) soil productivity improvement;

(C) improvements in forest ecosystem health;

(D) watershed restoration and maintenance;

(E) restoration, maintenance and improvement of wildlife and fish habitat;

(F) control of noxious and exotic weeds; and

(G) reestablishment of native species.

(3) To improve cooperative relationships among the people that use and care for Federal lands and the agencies that manage these lands.

**SEC. 3. DEFINITIONS.** 16 USC 500 note.

In this Act:

(1) FEDERAL LANDS.—The term "Federal lands" means—

(A) lands within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable

Resources Planning Act of 1974 (16 U.S.C. 1609(a)) exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012); and

(B) such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site lands valuable for timber, that shall be managed, except as provided in the former section 3 of the Act of August 28, 1937 (50 Stat. 875; 43 U.S.C. 1181c), for permanent forest production.

(2) ELIGIBILITY PERIOD.—The term "eligibility period" means fiscal year 1986 through fiscal year 1999.

(3) ELIGIBLE COUNTY.—The term "eligible county" means a county that received 50-percent payments for one or more fiscal years of the eligibility period or a county that received a portion of an eligible State's 25-percent payments for one or more fiscal years of the eligibility period. The term includes a county established after the date of the enactment of this Act so long as the county includes all or a portion of a county described in the preceding sentence.

(4) ELIGIBLE STATE.—The term "eligible State" means a State that received 25-percent payments for one or more fiscal years of the eligibility period.

(5) FULL PAYMENT AMOUNT.—The term "full payment amount" means the amount calculated for each eligible State and eligible county under section 101.

(6) 25-PERCENT PAYMENT.—The term "25-percent payment" means the payment to States required by the sixth paragraph under the heading of "FOREST SERVICE" in the Act of May 23, 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

(7) 50-PERCENT PAYMENT.—The term "50-percent payment" means the payment that is the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), and the payment made to a county pursuant to the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f–1 et seq.).

(8) SAFETY NET PAYMENTS.—The term "safety net payments" means the special payment amounts paid to States and counties required by section 13982 or 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

**SEC. 4. CONFORMING AMENDMENT.**

Section 6903(a)(1)(C) of title 31, United States Code, is amended by inserting after "(16 U.S.C. 500)" the following: "or the Secure Rural Schools and Community Self-Determination Act of 2000".

# TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

**SEC. 101. DETERMINATION OF FULL PAYMENT AMOUNT FOR ELIGIBLE STATES AND COUNTIES.** 16 USC 500 note.

(a) CALCULATION REQUIRED.—

(1) ELIGIBLE STATES.—For fiscal years 2001 through 2006, the Secretary of the Treasury shall calculate for each eligible State that received a 25-percent payment during the eligibility period an amount equal to the average of the three highest 25-percent payments and safety net payments made to that eligible State for the fiscal years of the eligibility period.

(2) BUREAU OF LAND MANAGEMENT COUNTIES.—For fiscal years 2001 through 2006, the Secretary of the Treasury shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the average of the three highest 50-percent payments and safety net payments made to that eligible county for the fiscal years of the eligibility period.

(b) ANNUAL ADJUSTMENT.—For each fiscal year in which payments are required to be made to eligible States and eligible counties under this title, the Secretary of the Treasury shall adjust the full payment amount for the previous fiscal year for each eligible State and eligible county to reflect 50 percent of the changes in the consumer price index for rural areas (as published in the Bureau of Labor Statistics) that occur after publication of that index for fiscal year 2000. Bureau of Labor Statistics, publication.

**SEC. 102. PAYMENTS TO STATES FROM NATIONAL FOREST SYSTEM LANDS FOR USE BY COUNTIES TO BENEFIT PUBLIC EDUCATION AND TRANSPORTATION.** 16 USC 500 note.

(a) PAYMENT AMOUNTS.—The Secretary of the Treasury shall pay an eligible State the sum of the amounts elected under subsection (b) by each eligible county for either—

(1) the 25-percent payment under the Act of May 23, 1908 (16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (16 U.S.C. 500); or

(2) the full payment amount in place of the 25-percent payment.

(b) ELECTION TO RECEIVE PAYMENT AMOUNT.—

(1) ELECTION; SUBMISSION OF RESULTS.—The election to receive either the full payment amount or the 25-percent payment shall be made at the discretion of each affected county and transmitted to the Secretary by the Governor of a State.

(2) DURATION OF ELECTION.—A county election to receive the 25-percent payment shall be effective for two fiscal years. When a county elects to receive the full payment amount, such election shall be effective for all the subsequent fiscal years through fiscal year 2006.

(3) SOURCE OF PAYMENT AMOUNTS.—The payment to an eligible State under this section for a fiscal year shall be derived from any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, or special accounts, received by the Federal Government from activities

by the Forest Service on the Federal lands described in section 3(1)(A) and to the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated.

(c) DISTRIBUTION AND EXPENDITURE OF PAYMENTS.—

(1) DISTRIBUTION METHOD.—A State that receives a payment under subsection (a) shall distribute the payment among all eligible counties in the State in accordance with the Act of May 23, 1908 (16 U.S.C. 500), and section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

(2) EXPENDITURE PURPOSES.—Subject to subsection (d), payments received by a State under subsection (a) and distributed to eligible counties shall be expended as required by the laws referred to in paragraph (1).

(d) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

(1) ALLOCATIONS.—

(A) USE OF PORTION IN SAME MANNER AS 25-PERCENT PAYMENTS.—If an eligible county elects to receive its share of the full payment amount, not less than 80 percent, but not more than 85 percent, of the funds shall be expended in the same manner in which the 25-percent payments are required to be expended.

(B) ELECTION AS TO USE OF BALANCE.—An eligible county shall elect to do one or more of the following with the balance of the funds not expended pursuant to subparagraph (A):

(i) Reserve the balance for projects in accordance with title II.

(ii) Reserve the balance for projects in accordance with title III.

(iii) Return the balance to the General Treasury in accordance with section 402(b).

(2) DISTRIBUTION OF FUNDS.—

(A) TREATMENT OF TITLE II FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(i) shall be deposited in a special account in the Treasury of the United States and shall be available for expenditure by the Secretary of Agriculture, without further appropriation, and shall remain available until expended in accordance with title II.

(B) TREATMENT OF TITLE III FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(ii) shall be available for expenditure by the county and shall remain available, until expended, in accordance with title III.

(3) ELECTION.—

Notification. Deadline.

(A) IN GENERAL.—An eligible county shall notify the Secretary of Agriculture of its election under this subsection not later than September 30 of each fiscal year. If the eligible county fails to make an election by that date, the county is deemed to have elected to expend 85 percent of the funds to be received under this section in the same manner in which the 25-percent payments are required to be expended, and shall remit the balance to the Treasury of the United States in accordance with section 402(b).

(B) COUNTIES WITH MINOR DISTRIBUTIONS.—Notwithstanding any adjustment made pursuant to section 101(b) in the case of each eligible county to which less than $100,000 is distributed for any fiscal year pursuant to

subsection (c)(1), the eligible county may elect to expend all such funds in accordance with subsection (c)(2).

(e) TIME FOR PAYMENT.—The payment to an eligible State under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

**SEC. 103. PAYMENTS TO COUNTIES FROM BUREAU OF LAND MANAGEMENT LANDS FOR USE TO BENEFIT PUBLIC SAFETY, LAW ENFORCEMENT, EDUCATION, AND OTHER PUBLIC PURPOSES.** 16 USC 500 note.

(a) PAYMENT.—The Secretary of the Treasury shall pay an eligible county either—

(1) the 50-percent payment under the Act of August 28, 1937 (43 U.S.C. 1181f), or the Act of May 24, 1939 (43 U.S.C. 1181f–1) as appropriate; or

(2) the full payment amount in place of the 50-percent payment.

(b) ELECTION TO RECEIVE FULL PAYMENT AMOUNT.—

(1) ELECTION; DURATION.—The election to receive the full payment amount shall be made at the discretion of the county. Once the election is made, it shall be effective for the fiscal year in which the election is made and all subsequent fiscal years through fiscal year 2006.

(2) SOURCE OF PAYMENT AMOUNTS.—The payment to an eligible county under this section for a fiscal year shall be derived from any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, or permanent operating funds, received by the Federal Government from activities by the Bureau of Land Management on the Federal lands described in section 3(1)(B) and to the extent of any shortfall, out of any funds in the Treasury not otherwise appropriated.

(c) EXPENDITURE RULES FOR ELIGIBLE COUNTIES.—

(1) ALLOCATIONS.—

(A) USE OF PORTION IN SAME MANNER AS 50-PERCENT PAYMENTS.—Of the funds to be paid to an eligible county pursuant to subsection (a)(2), not less than 80 percent, but not more than 85 percent, of the funds distributed to the eligible county shall be expended in the same manner in which the 50-percent payments are required to be expended.

(B) ELECTION AS TO USE OF BALANCE.—An eligible county shall elect to do one or more of the following with the balance of the funds not expended pursuant to subparagraph (A):

(i) Reserve the balance for projects in accordance with title II.

(ii) Reserve the balance for projects in accordance with title III.

(iii) Return the balance to the General Treasury in accordance with section 402(b).

(2) DISTRIBUTION OF FUNDS.—

(A) TREATMENT OF TITLE II FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(i) shall be deposited in a special account in the Treasury of the United States and shall be available for expenditure by the Secretary of the Interior, without further appropriation, and

shall remain available until expended in accordance with title II.

(B) TREATMENT OF TITLE III FUNDS.—Funds reserved by an eligible county under paragraph (1)(B)(ii) shall be available for expenditure by the county and shall remain available, until expended, in accordance with title III.

Notification. Deadline.

(3) ELECTION.—An eligible county shall notify the Secretary of the Interior of its election under this subsection not later than September 30 of each fiscal year. If the eligible county fails to make an election by that date, the county is deemed to have elected to expend 85 percent of the funds received under subsection (a)(2) in the same manner in which the 50-percent payments are required to be expended and shall remit the balance to the Treasury of the United States in accordance with section 402(b).

(d) TIME FOR PAYMENT.—The payment to an eligible county under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

# TITLE II—SPECIAL PROJECTS ON FEDERAL LANDS

16 USC 500 note.

**SEC. 201. DEFINITIONS.**

In this title:

(1) PARTICIPATING COUNTY.—The term "participating county" means an eligible county that elects under section 102(d)(1)(B)(i) or 103(c)(1)(B)(i) to expend a portion of the Federal funds received under section 102 or 103 in accordance with this title.

(2) PROJECT FUNDS.—The term "project funds" means all funds an eligible county elects under sections 102(d)(1)(B)(i) and 103(c)(1)(B)(i) to reserve for expenditure in accordance with this title.

(3) RESOURCE ADVISORY COMMITTEE.—The term "resource advisory committee" means an advisory committee established by the Secretary concerned under section 205, or determined by the Secretary concerned to meet the requirements of section 205.

(4) RESOURCE MANAGEMENT PLAN.—The term "resource management plan" means a land use plan prepared by the Bureau of Land Management for units of the Federal lands described in section 3(1)(B) pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) or a land and resource management plan prepared by the Forest Service for units of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(5) SECRETARY CONCERNED.—The term "Secretary concerned" means—

(A) the Secretary of Agriculture or the designee of the Secretary of Agriculture with respect to the Federal lands described in section 3(1)(A); and

(B) the Secretary of the Interior or the designee of the Secretary of the Interior with respect to the Federal lands described in section 3(1)(B).

**SEC. 202. GENERAL LIMITATION ON USE OF PROJECT FUNDS.** 16 USC 500 note.

Project funds shall be expended solely on projects that meet the requirements of this title. Project funds may be used by the Secretary concerned for the purpose of entering into and implementing cooperative agreements with willing Federal agencies, State and local governments, private and nonprofit entities, and landowners for protection, restoration and enhancement of fish and wildlife habitat, and other resource objectives consistent with the purposes of this title on Federal land and on non-Federal land where projects would benefit these resources on Federal land.

**SEC. 203. SUBMISSION OF PROJECT PROPOSALS.** 16 USC 500 note.

(a) SUBMISSION OF PROJECT PROPOSALS TO SECRETARY CONCERNED.—

(1) PROJECTS FUNDED USING PROJECT FUNDS.—Not later than September 30 for fiscal year 2001, and each September 30 thereafter for each succeeding fiscal year through fiscal year 2006, each resource advisory committee shall submit to the Secretary concerned a description of any projects that the resource advisory committee proposes the Secretary undertake using any project funds reserved by eligible counties in the area in which the resource advisory committee has geographic jurisdiction. Deadline.

(2) PROJECTS FUNDED USING OTHER FUNDS.—A resource advisory committee may submit to the Secretary concerned a description of any projects that the committee proposes the Secretary undertake using funds from State or local governments, or from the private sector, other than project funds and funds appropriated and otherwise available to do similar work.

(3) JOINT PROJECTS.—Participating counties or other persons may propose to pool project funds or other funds, described in paragraph (2), and jointly propose a project or group of projects to a resource advisory committee established under section 205.

(b) REQUIRED DESCRIPTION OF PROJECTS.—In submitting proposed projects to the Secretary concerned under subsection (a), a resource advisory committee shall include in the description of each proposed project the following information:

(1) The purpose of the project and a description of how the project will meet the purposes of this Act.

(2) The anticipated duration of the project.

(3) The anticipated cost of the project.

(4) The proposed source of funding for the project, whether project funds or other funds.

(5) Expected outcomes, including how the project will meet or exceed desired ecological conditions, maintenance objectives, or stewardship objectives, as well as an estimation of the amount of any timber, forage, and other commodities and other economic activity, including jobs generated, if any, anticipated as part of the project.

(6) A detailed monitoring plan, including funding needs and sources, that tracks and identifies the positive or negative impacts of the project, implementation, and provides for validation monitoring. The monitoring plan shall include an assessment of the following: Whether or not the project met or

exceeded desired ecological conditions; created local employment or training opportunities, including summer youth jobs programs such as the Youth Conservation Corps where appropriate; and whether the project improved the use of, or added value to, any products removed from lands consistent with the purposes of this Act.

(7) An assessment that the project is to be in the public interest.

(c) AUTHORIZED PROJECTS.—Projects proposed under subsection (a) shall be consistent with section 2(b).

16 USC 500 note.

**SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY SECRETARY CONCERNED.**

(a) CONDITIONS FOR APPROVAL OF PROPOSED PROJECT.—The Secretary concerned may make a decision to approve a project submitted by a resource advisory committee under section 203 only if the proposed project satisfies each of the following conditions:

(1) The project complies with all applicable Federal laws and regulations.

(2) The project is consistent with the applicable resource management plan and with any watershed or subsequent plan developed pursuant to the resource management plan and approved by the Secretary concerned.

(3) The project has been approved by the resource advisory committee in accordance with section 205, including the procedures issued under subsection (e) of such section.

(4) A project description has been submitted by the resource advisory committee to the Secretary concerned in accordance with section 203.

(5) The project will improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality.

(b) ENVIRONMENTAL REVIEWS.—

(1) PAYMENT OF REVIEW COSTS.—

(A) REQUEST FOR PAYMENT BY COUNTY.—The Secretary concerned may request the resource advisory committee submitting a proposed project to agree to the use of project funds to pay for any environmental review, consultation, or compliance with applicable environmental laws required in connection with the project. When such a payment is requested and the resource advisory committee agrees to the expenditure of funds for this purpose, the Secretary concerned shall conduct environmental review, consultation, or other compliance responsibilities in accordance with Federal law and regulations.

(B) EFFECT OF REFUSAL TO PAY.—If a resource advisory committee does not agree to the expenditure of funds under subparagraph (A), the project shall be deemed withdrawn from further consideration by the Secretary concerned pursuant to this title. Such a withdrawal shall be deemed to be a rejection of the project for purposes of section 207(c).

(c) DECISIONS OF SECRETARY CONCERNED.—

(1) REJECTION OF PROJECTS.—A decision by the Secretary concerned to reject a proposed project shall be at the Secretary's sole discretion. Notwithstanding any other provision of law,

a decision by the Secretary concerned to reject a proposed project shall not be subject to administrative appeal or judicial review. Within 30 days after making the rejection decision, the Secretary concerned shall notify in writing the resource advisory committee that submitted the proposed project of the rejection and the reasons for rejection.

Deadline. Notification.

(2) NOTICE OF PROJECT APPROVAL.—The Secretary concerned shall publish in the Federal Register notice of each project approved under subsection (a) if such notice would be required had the project originated with the Secretary.

Federal Register, publication.

(d) SOURCE AND CONDUCT OF PROJECT.—Once the Secretary concerned accepts a project for review under section 203, it shall be deemed a Federal action for all purposes.

(e) IMPLEMENTATION OF APPROVED PROJECTS.—

(1) COOPERATION.—Notwithstanding chapter 63 of title 31, United States Code, using project funds the Secretary concerned may enter into contracts, grants, and cooperative agreements with States and local governments, private and nonprofit entities, and landowners and other persons to assist the Secretary in carrying out an approved project.

(2) BEST VALUE CONTRACTING.—For any project involving a contract authorized by paragraph (1) the Secretary concerned may elect a source for performance of the contract on a best value basis. The Secretary concerned shall determine best value based on such factors as:

(A) The technical demands and complexity of the work to be done.

(B) The ecological objectives of the project and the sensitivity of the resources being treated.

(C) The past experience by the contractor with the type of work being done, using the type of equipment proposed for the project, and meeting or exceeding desired ecological conditions.

(D) The commitment of the contractor to hiring highly qualified workers and local residents.

(3) MERCHANTABLE MATERIAL CONTRACTING PILOT PROGRAM.—

(A) ESTABLISHMENT.—The Secretary concerned shall establish a pilot program to implement a certain percentage of approved projects involving the sale of merchantable material using separate contracts for—

(i) the harvesting or collection of merchantable material; and

(ii) the sale of such material.

(B) ANNUAL PERCENTAGES.—Under the pilot program, the Secretary concerned shall ensure that, on a nationwide basis, not less than the following percentage of all approved projects involving the sale of merchantable material are implemented using separate contracts:

(i) For fiscal year 2001, 15 percent.

(ii) For fiscal year 2002, 25 percent.

(iii) For fiscal year 2003, 25 percent.

(iv) For fiscal year 2004, 50 percent.

(v) For fiscal year 2005, 50 percent.

(vi) For fiscal year 2006, 50 percent.

(C) INCLUSION IN PILOT PROGRAM.—The decision whether to use separate contracts to implement a project

involving the sale of merchantable material shall be made by the Secretary concerned after the approval of the project under this title.

(D) ASSISTANCE.—The Secretary concerned may use funds from any appropriated account available to the Secretary for the Federal lands to assist in the administration of projects conducted under the pilot program. The total amount obligated under this subparagraph may not exceed $1,000,000 for any fiscal year during which the pilot program is in effect.

Deadline.

(E) REVIEW AND REPORT.—Not later than September 30, 2003, the Comptroller General shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Agriculture of the House of Representatives, and the Committee on Resources of the House of Representatives a report assessing the pilot program. The Secretary concerned shall submit to such committees an annual report describing the results of the pilot program.

(f) REQUIREMENTS FOR PROJECT FUNDS.—The Secretary shall ensure that at least 50 percent of all project funds be used for projects that are primarily dedicated—

(1) to road maintenance, decommissioning, or obliteration; or

(2) to restoration of streams and watersheds.

16 USC 500 note.

**SEC. 205. RESOURCE ADVISORY COMMITTEES.**

(a) ESTABLISHMENT AND PURPOSE OF RESOURCE ADVISORY COMMITTEES.—

(1) ESTABLISHMENT.—The Secretary concerned shall establish and maintain resource advisory committees to perform the duties in subsection (b), except as provided in paragraph (4).

(2) PURPOSE.—The purpose of a resource advisory committee shall be to improve collaborative relationships and to provide advice and recommendations to the land management agencies consistent with the purposes of this Act.

(3) ACCESS TO RESOURCE ADVISORY COMMITTEES.—To ensure that each unit of Federal land has access to a resource advisory committee, and that there is sufficient interest in participation on a committee to ensure that membership can be balanced in terms of the points of view represented and the functions to be performed, the Secretary concerned may, establish resource advisory committees for part of, or one or more, units of Federal lands.

(4) EXISTING ADVISORY COMMITTEES.—Existing advisory committees meeting the requirements of this section may be deemed by the Secretary concerned, as a resource advisory committee for the purposes of this title. The Secretary of the Interior may deem a resource advisory committee meeting the requirements of subpart 1784 of part 1780 of title 43, Code of Federal Regulations, as a resource advisory committee for the purposes of this title.

(b) DUTIES.—A resource advisory committee shall—

(1) review projects proposed under this title by participating counties and other persons;

(2) propose projects and funding to the Secretary concerned under section 203;

(3) provide early and continuous coordination with appropriate land management agency officials in recommending projects consistent with purposes of this Act under this title; and

(4) provide frequent opportunities for citizens, organizations, tribes, land management agencies, and other interested parties to participate openly and meaningfully, beginning at the early stages of the project development process under this title.

(c) APPOINTMENT BY THE SECRETARY.—

(1) APPOINTMENT AND TERM.—The Secretary concerned, shall appoint the members of resource advisory committees for a term of 3 years beginning on the date of appointment. The Secretary concerned may reappoint members to subsequent 3-year terms.

(2) BASIC REQUIREMENTS.—The Secretary concerned shall ensure that each resource advisory committee established meets the requirements of subsection (d).

(3) INITIAL APPOINTMENT.—The Secretary concerned shall make initial appointments to the resource advisory committees not later than 180 days after the date of the enactment of this Act. Deadline.

(4) VACANCIES.—The Secretary concerned shall make appointments to fill vacancies on any resource advisory committee as soon as practicable after the vacancy has occurred.

(5) COMPENSATION.—Members of the resource advisory committees shall not receive any compensation.

(d) COMPOSITION OF ADVISORY COMMITTEE.—

(1) NUMBER.—Each resource advisory committee shall be comprised of 15 members.

(2) COMMUNITY INTERESTS REPRESENTED.—Committee members shall be representative of the interests of the following three categories:

(A) five persons who—

(i) represent organized labor;

(ii) represent developed outdoor recreation, off highway vehicle users, or commercial recreation activities;

(iii) represent energy and mineral development interests;

(iv) represent the commercial timber industry; or

(v) hold Federal grazing permits, or other land use permits within the area for which the committee is organized.

(B) five persons representing—

(i) nationally recognized environmental organizations;

(ii) regionally or locally recognized environmental organizations;

(iii) dispersed recreational activities;

(iv) archaeological and historical interests; or

(v) nationally or regionally recognized wild horse and burro interest groups.

(C) five persons who—

(i) hold State elected office or their designee;

(ii) hold county or local elected office;

(iii) represent American Indian tribes within or adjacent to the area for which the committee is organized;

(iv) are school officials or teachers; or

(v) represent the affected public at large.

(3) BALANCED REPRESENTATION.—In appointing committee members from the three categories in paragraph (2), the Secretary concerned shall provide for balanced and broad representation from within each category.

(4) GEOGRAPHIC DISTRIBUTION.—The members of a resource advisory committee shall reside within the State in which the committee has jurisdiction and, to extent practicable, the Secretary concerned shall ensure local representation in each category in paragraph (2).

(5) CHAIRPERSON.—A majority on each resource advisory committee shall select the chairperson of the committee.

(e) APPROVAL PROCEDURES.—(1) Subject to paragraph (2), each resource advisory committee shall establish procedures for proposing projects to the Secretary concerned under this title. A quorum must be present to constitute an official meeting of the committee.

(2) A project may be proposed by a resource advisory committee to the Secretary concerned under section 203(a), if it has been approved by a majority of members of the committee from each of the three categories in subsection (d)(2).

(f) OTHER COMMITTEE AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—A resource advisory committee may submit to the Secretary concerned a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary.

(2) MEETINGS.—All meetings of a resource advisory committee shall be announced at least one week in advance in a local newspaper of record and shall be open to the public.

(3) RECORDS.—A resource advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

16 USC 500 note.

**SEC. 206. USE OF PROJECT FUNDS.**

(a) AGREEMENT REGARDING SCHEDULE AND COST OF PROJECT.—

(1) AGREEMENT BETWEEN PARTIES.—The Secretary concerned may carry out a project submitted by a resource advisory committee under section 203(a) using project funds or other funds described in section 203(a)(2), if, as soon as practicable after the issuance of a decision document for the project and the exhaustion of all administrative appeals and judicial review of the project decision, the Secretary concerned and the resource advisory committee enter into an agreement addressing, at a minimum, the following:

(A) The schedule for completing the project.

(B) The total cost of the project, including the level of agency overhead to be assessed against the project.

(C) For a multiyear project, the estimated cost of the project for each of the fiscal years in which it will be carried out.

(D) The remedies for failure of the Secretary concerned to comply with the terms of the agreement consistent with current Federal law.

(2) LIMITED USE OF FEDERAL FUNDS.—The Secretary concerned may decide, at the Secretary's sole discretion, to cover the costs of a portion of an approved project using Federal funds appropriated or otherwise available to the Secretary for the same purposes as the project.

(b) TRANSFER OF PROJECT FUNDS.—

(1) INITIAL TRANSFER REQUIRED.—As soon as practicable after the agreement is reached under subsection (a) with regard to a project to be funded in whole or in part using project funds, or other funds described in section 203(a)(2), the Secretary concerned shall transfer to the applicable unit of National Forest System lands or BLM District an amount of project funds equal to—

(A) in the case of a project to be completed in a single fiscal year, the total amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2); or

(B) in the case of a multiyear project, the amount specified in the agreement to be paid using project funds, or other funds described in section 203(a)(2) for the first fiscal year.

(2) CONDITION ON PROJECT COMMENCEMENT.—The unit of National Forest System lands or BLM District concerned, shall not commence a project until the project funds, or other funds described in section 203(a)(2) required to be transferred under paragraph (1) for the project, have been made available by the Secretary concerned.

(3) SUBSEQUENT TRANSFERS FOR MULTIYEAR PROJECTS.—For the second and subsequent fiscal years of a multiyear project to be funded in whole or in part using project funds, the unit of National Forest System lands or BLM District concerned shall use the amount of project funds required to continue the project in that fiscal year according to the agreement entered into under subsection (a). The Secretary concerned shall suspend work on the project if the project funds required by the agreement in the second and subsequent fiscal years are not available.

**SEC. 207. AVAILABILITY OF PROJECT FUNDS.**

16 USC 500 note.

(a) SUBMISSION OF PROPOSED PROJECTS TO OBLIGATE FUNDS.—By September 30 of each fiscal year through fiscal year 2006, a resource advisory committee shall submit to the Secretary concerned pursuant to section 203(a)(1) a sufficient number of project proposals that, if approved, would result in the obligation of at least the full amount of the project funds reserved by the participating county in the preceding fiscal year.

Deadline.

(b) USE OR TRANSFER OF UNOBLIGATED FUNDS.—Subject to section 208, if a resource advisory committee fails to comply with subsection (a) for a fiscal year, any project funds reserved by the participating county in the preceding fiscal year and remaining unobligated shall be available for use as part of the project submissions in the next fiscal year.

(c) EFFECT OF REJECTION OF PROJECTS.—Subject to section 208, any project funds reserved by a participating county in the

preceding fiscal year that are unobligated at the end of a fiscal year because the Secretary concerned has rejected one or more proposed projects shall be available for use as part of the project submissions in the next fiscal year.

(d) EFFECT OF COURT ORDERS.—If an approved project under this Act is enjoined or prohibited by a Federal court, the Secretary concerned shall return the unobligated project funds related to that project to the participating county or counties that reserved the funds. The returned funds shall be available for the county to expend in the same manner as the funds reserved by the county under section 102(d)(1)(B)(i) or 103(c)(1)(B)(i), whichever applies to the funds involved.

16 USC 500 note.

**SEC. 208. TERMINATION OF AUTHORITY.**

The authority to initiate projects under this title shall terminate on September 30, 2006. Any project funds not obligated by September 30, 2007, shall be deposited in the Treasury of the United States.

# TITLE III—COUNTY PROJECTS

16 USC 500 note.

**SEC. 301. DEFINITIONS.**

In this title:

(1) PARTICIPATING COUNTY.—The term "participating county" means an eligible county that elects under section 102(d)(1)(B)(ii) or 103(c)(1)(B)(ii) to expend a portion of the Federal funds received under section 102 or 103 in accordance with this title.

(2) COUNTY FUNDS.—The term "county funds" means all funds an eligible county elects under sections 102(d)(1)(B)(ii) and 103(c)(1)(B)(ii) to reserve for expenditure in accordance with this title.

16 USC 500 note.

**SEC. 302. USE OF COUNTY FUNDS.**

(a) LIMITATION ON COUNTY FUND USE.—County funds shall be expended solely on projects that meet the requirements of this title. A project under this title shall be approved by the participating county only following a 45-day public comment period, at the beginning of which the county shall—

(1) publish a description of the proposed project in the publications of local record; and

(2) send the proposed project to the appropriate resource advisory committee established under section 205, if one exists for the county.

(b) AUTHORIZED USES.—

(1) SEARCH, RESCUE, AND EMERGENCY SERVICES.—An eligible county or applicable sheriff's department may use these funds as reimbursement for search and rescue and other emergency services, including fire fighting, performed on Federal lands and paid for by the county.

(2) COMMUNITY SERVICE WORK CAMPS.—An eligible county may use these funds as reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.

(3) EASEMENT PURCHASES.—An eligible county may use these funds to acquire—

(A) easements, on a willing seller basis, to provide for nonmotorized access to public lands for hunting, fishing, and other recreational purposes;

(B) conservation easements; or

(C) both.

(4) FOREST RELATED EDUCATIONAL OPPORTUNITIES.—A county may use these funds to establish and conduct forest-related after school programs.

(5) FIRE PREVENTION AND COUNTY PLANNING.—A county may use these funds for—

(A) efforts to educate homeowners in fire-sensitive ecosystems about the consequences of wildfires and techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires; and

(B) planning efforts to reduce or mitigate the impact of development on adjacent Federal lands and to increase the protection of people and property from wildfires.

(6) COMMUNITY FORESTRY.—A county may use these funds towards non-Federal cost-share requirements of section 9 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2105).

**SEC. 303. TERMINATION OF AUTHORITY.** 16 USC 500 note.

The authority to initiate projects under this title shall terminate on September 30, 2006. Any county funds not obligated by September 30, 2007 shall be available to be expended by the county for the uses identified in section 302(b).

# TITLE IV—MISCELLANEOUS PROVISIONS

**SEC. 401. AUTHORIZATION OF APPROPRIATIONS.** 16 USC 500 note.

There are hereby authorized to be appropriated such sums as may be necessary to carry out this Act for fiscal years 2001 through 2006.

**SEC. 402. TREATMENT OF FUNDS AND REVENUES.** 16 USC 500 note.

(a) RELATION TO OTHER APPROPRIATIONS.—Funds appropriated pursuant to the authorization of appropriations in section 401 and funds made available to a Secretary concerned under section 206 shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.

(b) DEPOSIT OF REVENUES AND OTHER FUNDS.—All revenues generated from projects pursuant to title II, any funds remitted by counties pursuant to section 102(d)(1)(B)(iii) or section 103(c)(1)(B)(iii), and any interest accrued from such funds shall be deposited in the Treasury of the United States.

**SEC. 403. REGULATIONS.** 16 USC 500 note.

The Secretaries concerned may jointly issue regulations to carry out the purposes of this Act.

**SEC. 404. CONFORMING AMENDMENTS.**

Sections 13982 and 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note) are repealed.

Mineral Revenue Payments Clarification Act of 2000.
30 USC 181 note.

# TITLE V—MINERAL REVENUE PAYMENTS CLARIFICATION

**SEC. 501. SHORT TITLE.**

This title may be cited as the "Mineral Revenue Payments Clarification Act of 2000".

30 USC 191 note.

**SEC. 502. FINDINGS.**

The Congress finds the following:

(1) Section 10201 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66; 107 Stat. 407) amended section 35 of the Mineral Leasing Act (30 U.S.C. 191) to change the sharing of onshore mineral revenues and revenues from geothermal steam from a 50:50 split between the Federal Government and the States to a complicated formula that entailed deducting from the State share of leasing revenues "50 percent of the portion of the enacted appropriations of the Department of the Interior and any other agency during the preceding fiscal year allocable to the administration of all laws providing for the leasing of any onshore lands or interest in land owned by the United States for the production of the same types of minerals leasable under this Act or of geothermal steam, and to enforcement of such laws * * *".

(2) There is no legislative record to suggest a sound public policy rationale for deducting prior-year administrative expenses from the sharing of current-year receipts, indicating that this change was made primarily for budget scoring reasons.

(3) The system put in place by this change in law has proved difficult to administer and has given rise to disputes between the Federal Government and the States as to the nature of allocable expenses. Federal accounting systems have proven to be poorly suited to breaking down administrative costs in the manner required by the law. Different Federal agencies implementing this law have used varying methodologies to identify allocable costs, resulting in an inequitable distribution of costs during fiscal years 1994 through 1996. In November 1997, the Inspector General of the Department of the Interior found that "the congressionally approved method for cost sharing deductions effective in fiscal year 1997 may not accurately compute the deductions".

(4) Given the lack of a substantive rationale for the 1993 change in law and the complexity and administrative burden involved, a return to the sharing formula prior to the enactment of the Omnibus Budget Reconciliation Act of 1993 is justified.

**SEC. 503. AMENDMENT OF THE MINERAL LEASING ACT.**

Section 35(b) of the Mineral Leasing Act (30 U.S.C. 191(b)) is amended to read as follows:

"(b) In determining the amount of payments to the States under this section, the amount of such payments shall not be reduced by any administrative or other costs incurred by the United States.".

# TITLE VI—COMMUNITY FOREST RESTORATION

Community Forest Restoration Act.

**SEC. 601. SHORT TITLE.**

This title may be cited as the "Community Forest Restoration Act".

**SEC. 602. FINDINGS.**

The Congress finds the following:

(1) A century of fire suppression, logging, and livestock grazing has altered the ecological balance of New Mexico's forests.

New Mexico.

(2) Some forest lands in New Mexico contain an unnaturally high number of small diameter trees that are subject to large, high intensity wildfires that can endanger human lives, livelihoods, and ecological stability.

(3) Forest lands that contain an unnaturally high number of small diameter trees have reduced biodiversity and provide fewer benefits to human communities, wildlife, and watersheds.

(4) Healthy and productive watersheds minimize the threat of large, high intensity wildfires, provide abundant and diverse wildlife habitat, and produce a variety of timber and non-timber products including better quality water and increased water flows.

(5) Restoration efforts are more successful when there is involvement from neighboring communities and better stewardship will evolve from more diverse involvement.

(6) Designing demonstration restoration projects through a collaborative approach may—

(A) lead to the development of cost effective restoration activities;

(B) empower diverse organizations to implement activities which value local and traditional knowledge;

(C) build ownership and civic pride; and

(D) ensure healthy, diverse, and productive forests and watersheds.

**SEC. 603. PURPOSES.**

The purposes of this title are—

(1) to promote healthy watersheds and reduce the threat of large, high intensity wildfires, insect infestation, and disease in the forests in New Mexico;

(2) to improve the functioning of forest ecosystems and enhance plant and wildlife biodiversity by reducing the unnaturally high number and density of small diameter trees on Federal, Tribal, State, County, and Municipal forest lands;

(3) to improve communication and joint problem solving among individuals and groups who are interested in restoring the diversity and productivity of forested watersheds in New Mexico;

(4) to improve the use of, or add value to, small diameter trees;

(5) to encourage sustainable communities and sustainable forests through collaborative partnerships, whose objectives are forest restoration; and

(6) to develop, demonstrate, and evaluate ecologically sound forest restoration techniques.

**SEC. 604. DEFINITIONS.**

As used in this title—

(1) the term "Secretary" means the Secretary of Agriculture acting through the Chief of the Forest Service; and

(2) the term "stakeholder" includes: tribal governments, educational institutions, landowners, and other interested public and private entities.

**SEC. 605. ESTABLISHMENT OF PROGRAM.**

(a) FOREST RESTORATION PROGRAM.—The Secretary shall establish a cooperative forest restoration program in New Mexico in order to provide cost-share grants to stakeholders for experimental forest restoration projects that are designed through a collaborative process (hereinafter referred to as the "Collaborative Forest Restoration Program"). The projects may be entirely on, or on any combination of, Federal, Tribal, State, County, or Municipal forest lands. The Federal share of an individual project cost shall not exceed 80 percent of the total cost. The 20-percent matching may be in the form of cash or in-kind contribution.

(b) ELIGIBILITY REQUIREMENTS.—To be eligible to receive funding under this title, a project shall—

(1) address the following objectives—

(A) reduce the threat of large, high intensity wildfires and the negative effects of excessive competition between trees by restoring ecosystem functions, structures, and species composition, including the reduction of non-native species populations;

(B) re-establish fire regimes approximating those that shaped forest ecosystems prior to fire suppression;

(C) preserve old and large trees;

(D) replant trees in deforested areas if they exist in the proposed project area; and

(E) improve the use of, or add value to, small diameter trees;

(2) comply with all Federal and State environmental laws;

(3) include a diverse and balanced group of stakeholders as well as appropriate Federal, Tribal, State, County, and Municipal government representatives in the design, implementation, and monitoring of the project;

(4) incorporate current scientific forest restoration information; and

(5) include a multiparty assessment to—

(A) identify both the existing ecological condition of the proposed project area and the desired future condition; and

(B) report, upon project completion, on the positive or negative impact and effectiveness of the project including improvements in local management skills and on the ground results;

(6) create local employment or training opportunities within the context of accomplishing restoration objectives, that are consistent with the purposes of this title, including summer youth jobs programs such as the Youth Conservation Corps where appropriate;

(7) not exceed 4 years in length;

(8) not exceed a total annual cost of $150,000, with the Federal portion not exceeding $120,000 annually, nor exceed a total cost of $450,000 for the project, with the Federal portion of the total cost not exceeding $360,000;

(9) leverage Federal funding through in-kind or matching contributions; and

(10) include an agreement by each stakeholder to attend an annual workshop with other stakeholders for the purpose of discussing the cooperative forest restoration program and projects implemented under this title. The Secretary shall coordinate and fund the annual workshop. Stakeholders may use funding for projects authorized under this title to pay for their travel and per diem expenses to attend the workshop.

**SEC. 606. SELECTION PROCESS.**

(a) After consulting with the technical advisory panel established in subsection (b), the Secretary shall select the proposals that will receive funding through the Collaborative Forest Restoration Program.

(b) The Secretary shall convene a technical advisory panel to evaluate the proposals for forest restoration grants and provide recommendations regarding which proposals would best meet the objectives of the Collaborative Forest Restoration Program. The technical advisory panel shall consider eligibility criteria established in section 605, the effect on long-term management, and seek to use a consensus-based decisionmaking process to develop such recommendations. The panel shall be composed of 12 to 15 members, to be appointed by the Secretary as follows:

(1) A State Natural Resource official from the State of New Mexico.

(2) At least two representatives from Federal land management agencies.

(3) At least one tribal or pueblo representative.

(4) At least two independent scientists with experience in forest ecosystem restoration.

(5) Equal representation from—

(A) conservation interests;

(B) local communities; and

(C) commodity interests.

**SEC. 607. MONITORING AND EVALUATION.**

The Secretary shall establish a multiparty monitoring and evaluation process in order to assess the cumulative accomplishments or adverse impacts of the Collaborative Forest Restoration Program. The Secretary shall include any interested individual or organization in the monitoring and evaluation process. The Secretary also shall conduct a monitoring program to assess the short- and long-term ecological effects of the restoration treatments, if any, for a minimum of 15 years.

**SEC. 608. REPORT.**

Deadline.

No later than 5 years after the first fiscal year in which funding is made available for this program, the Secretary shall submit a report to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the United States House of Representatives. The report shall include an assessment on whether, and to what extent, the projects

funded pursuant to this title are meeting the purposes of the Collaborative Forest Restoration Program.

**SEC. 609. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated $5,000,000 annually to carry out this title.

Approved October 30, 2000.

LEGISLATIVE HISTORY—H.R. 2389:

HOUSE REPORTS: No. 106–392, Pt. 1 (Comm. on Agriculture).
CONGRESSIONAL RECORD:
Vol. 145 (1999): Nov. 3, considered and passed House.
Vol. 146 (2000): Oct. 6, considered and passed Senate, amended.
Oct. 10, House concurred in Senate amendment.

# Federal Lands Recreation Enhancement Act

# H.R.4818

**PL 108-447; Consolidated Appropriations Act; Div. J, Title VIII**

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## VIII--FEDERAL LANDS RECREATION ENHANCEMENT ACT

## SEC. 801. SHORT TITLE AND TABLE OF CONTENTS.

(a) Short Title- This title may be cited as the `Federal Lands Recreation Enhancement Act'.
(b) Table of Contents- The table of contents of this Act is as follows:


Sec. 801. Short title and table of contents.
Sec. 802. Definitions.
Sec. 803. Recreation fee authority.
Sec. 804. Public participation.
Sec. 805. Recreation passes.
Sec. 806. Cooperative agreements.
Sec. 807. Special account and distribution of fees and revenues.
Sec. 808. Expenditures.
Sec. 809. Reports.
Sec. 810. Sunset provision.
Sec. 811. Volunteers.
Sec. 812. Enforcement and protection of receipts.
Sec. 813. Repeal of superseded admission and use fee authorities.
Sec. 814. Relation to other laws and fee collection authorities.
Sec. 815. Limitation on use of fees for employee bonuses.


## SEC. 802. DEFINITIONS.

In this Act:

(1) STANDARD AMENITY RECREATION FEE- The term `standard amenity recreation fee' means the recreation fee authorized by section 3(f).

(2) EXPANDED AMENITY RECREATION FEE- The term `expanded amenity recreation fee' means the recreation fee authorized by section 3(g).

(3) ENTRANCE FEE- The term `entrance fee' means the recreation fee authorized to be charged to enter onto lands managed by the National Park Service or the United States Fish and Wildlife Service.

(4) FEDERAL LAND MANAGEMENT AGENCY- The term `Federal land management agency' means the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.
(5) FEDERAL RECREATIONAL LANDS AND WATERS- The term `Federal recreational lands and waters' means lands or waters managed by a Federal land management agency.
(6) NATIONAL PARKS AND FEDERAL RECREATIONAL LANDS PASS- The term `National Parks and Federal Recreational Lands Pass' means the interagency national pass authorized by section 5.
(7) PASSHOLDER- The term `passholder' means the person who is issued a recreation pass.
(8) RECREATION FEE- The term `recreation fee' means an entrance fee, standard amenity recreation fee, expanded amenity recreation fee, or special recreation permit fee.
(9) RECREATION PASS- The term `recreation pass' means the National Parks and Federal Recreational Lands Pass or one of the other recreation passes available as authorized by section 5.
(10) SECRETARY- The term `Secretary' means--
(A) the Secretary of the Interior, with respect to a Federal land management agency (other than the Forest Service); and
(B) the Secretary of Agriculture, with respect to the Forest Service.
(11) SECRETARIES- The term `Secretaries' means the Secretary of the Interior and the Secretary of Agriculture acting jointly.
(12) SPECIAL ACCOUNT- The term `special account' means the special account established in the Treasury under section 7 for a Federal land management agency.
(13) SPECIAL RECREATION PERMIT FEE- The term `special recreation permit fee' means the fee authorized by section 3(h).

## SEC. 803. RECREATION FEE AUTHORITY.

(a) Authority of Secretary- Beginning in fiscal year 2005 and thereafter, the Secretary may establish, modify, charge, and collect recreation fees at Federal recreational lands and waters as provided for in this section.
(b) Basis for Recreation Fees- Recreation fees shall be established in a manner consistent with the following criteria:
(1) The amount of the recreation fee shall be commensurate with the benefits and services provided to the visitor.
(2) The Secretary shall consider the aggregate effect of recreation fees on recreation users and recreation service providers.

(3) The Secretary shall consider comparable fees charged elsewhere and by other public agencies and by nearby private sector operators.

(4) The Secretary shall consider the public policy or management objectives served by the recreation fee.

(5) The Secretary shall obtain input from the appropriate Recreation Resource Advisory Committee, as provided in section 4(d).

(6) The Secretary shall consider such other factors or criteria as determined appropriate by the Secretary.

(c) Special Considerations- The Secretary shall establish the minimum number of recreation fees and shall avoid the collection of multiple or layered recreation fees for similar uses, activities, or programs.

(d) Limitations on Recreation Fees-

(1) PROHIBITION ON FEES FOR CERTAIN ACTIVITIES OR SERVICES- The Secretary shall not charge any standard amenity recreation fee or expanded amenity recreation fee for Federal recreational lands and waters administered by the Bureau of Land Management, the Forest Service, or the Bureau of Reclamation under this Act for any of the following:

(A) Solely for parking, undesignated parking, or picnicking along roads or trailsides.

(B) For general access unless specifically authorized under this section.

(C) For dispersed areas with low or no investment unless specifically authorized under this section.

(D) For persons who are driving through, walking through, boating through, horseback riding through, or hiking through Federal recreational lands and waters without using the facilities and services.

(E) For camping at undeveloped sites that do not provide a minimum number of facilities and services as described in subsection (g)(2)(A).

(F) For use of overlooks or scenic pullouts.

(G) For travel by private, noncommercial vehicle over any national parkway or any road or highway established as a part of the Federal-aid System, as defined in section 101 of title 23, United States Code, which is commonly used by the public as a means of travel between two places either or both of which are outside any unit or area at which recreation fees are charged under this Act.

(H) For travel by private, noncommercial vehicle, boat, or aircraft over any road or highway, waterway, or airway to any land in which such person has any property right if such land is within any unit or area at which recreation fees are charged under this Act.

(I) For any person who has a right of access for hunting or fishing privileges under a specific provision of law or treaty.

(J) For any person who is engaged in the conduct of official Federal, State, Tribal, or local government business.

(K) For special attention or extra services necessary to meet the needs of the disabled.

(2) RELATION TO FEES FOR USE OF HIGHWAYS OR ROADS- An entity that pays a special recreation permit fee or similar permit fee shall not be subject to a road cost-sharing fee or a fee for the use of highways or roads that are open to private, noncommercial use within the boundaries of any Federal recreational lands or waters, as authorized under section 6 of Public Law 88-657 (16 U.S.C. 537; commonly known as the Forest Roads and Trails Act).

(3) PROHIBITION ON FEES FOR CERTAIN PERSONS OR PLACES- The Secretary shall not charge an entrance fee or standard amenity recreation fee for the following:

(A) Any person under 16 years of age.

(B) Outings conducted for noncommercial educational purposes by schools or bona fide academic institutions.

(C) The U.S.S. Arizona Memorial, Independence National Historical Park, any unit of the National Park System within the District of Columbia, or Arlington House-Robert E. Lee National Memorial.

(D) The Flight 93 National Memorial.

(E) Entrance on other routes into the Great Smoky Mountains National Park or any part thereof unless fees are charged for entrance into that park on main highways and thoroughfares.

(F) Entrance on units of the National Park System containing deed restrictions on charging fees.

(G) An area or unit covered under section 203 of the Alaska National Interest Lands Conservation Act (Public Law 96-487; 16 U.S.C. 410hh-2), with the exception of Denali National Park and Preserve.

(H) A unit of the National Wildlife Refuge System created, expanded, or modified by the Alaska National Interest Lands Conservation Act (Public Law 96-487).

(I) Any person who visits a unit or area under the jurisdiction of the United States Fish and Wildlife Service and who has been issued a valid migratory bird hunting and conservation stamp issued under section 2 of the Act of March 16, 1934 (16 U.S.C. 718b; commonly known as the Duck Stamp Act).

(J) Any person engaged in a nonrecreational activity authorized under a valid permit issued under any other Act, including a valid grazing permit.

(4) NO RESTRICTION ON RECREATION OPPORTUNITIES- Nothing in this Act shall limit the use of recreation opportunities only to areas designated for collection of recreation fees.

(e) Entrance Fee-

(1) AUTHORIZED SITES FOR ENTRANCE FEES- The Secretary of the Interior may charge an entrance fee for a unit of the National Park System, including a national monument administered by the National Park Service, or for a unit of the National Wildlife Refuge System.

(2) PROHIBITED SITES- The Secretary shall not charge an entrance fee for Federal recreational lands and waters managed by the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service.

(f) Standard Amenity Recreation Fee- Except as limited by subsection (d), the Secretary may charge a standard amenity recreation fee for Federal recreational lands and waters under the jurisdiction of the Bureau of Land Management, the Bureau of Reclamation, or the Forest Service, but only at the following:

(1) A National Conservation Area.

(2) A National Volcanic Monument.

(3) A destination visitor or interpretive center that provides a broad range of interpretive services, programs, and media.

(4) An area--

(A) that provides significant opportunities for outdoor recreation;

(B) that has substantial Federal investments;

(C) where fees can be efficiently collected; and

(D) that contains all of the following amenities:

(i) Designated developed parking.

(ii) A permanent toilet facility.

(iii) A permanent trash receptacle.

(iv) Interpretive sign, exhibit, or kiosk.

(v) Picnic tables.

(vi) Security services.

(g) Expanded Amenity Recreation Fee-

(1) NPS AND USFWS AUTHORITY- Except as limited by subsection (d), the Secretary of the Interior may charge an expanded amenity recreation fee, either in addition to an entrance fee or by itself, at Federal recreational lands and waters under the jurisdiction of the National Park Service or the United States Fish and Wildlife Service when the Secretary of the Interior determines that the visitor uses a specific or specialized facility, equipment, or service.

(2) OTHER FEDERAL LAND MANAGEMENT AGENCIES- Except as limited by subsection (d), the Secretary may charge an

expanded amenity recreation fee, either in addition to a standard amenity fee or by itself, at Federal recreational lands and waters under the jurisdiction of the Forest Service, the Bureau of Land Management, or the Bureau of Reclamation, but only for the following facilities or services:

(A) Use of developed campgrounds that provide at least a majority of the following:

(i) Tent or trailer spaces.
(ii) Picnic tables.
(iii) Drinking water.
(iv) Access roads.
(v) The collection of the fee by an employee or agent of the Federal land management agency.
(vi) Reasonable visitor protection.
(vii) Refuse containers.
(viii) Toilet facilities.
(ix) Simple devices for containing a campfire.

(B) Use of highly developed boat launches with specialized facilities or services such as mechanical or hydraulic boat lifts or facilities, multi-lane paved ramps, paved parking, restrooms and other improvements such as boarding floats, loading ramps, or fish cleaning stations.

(C) Rental of cabins, boats, stock animals, lookouts, historic structures, group day-use or overnight sites, audio tour devices, portable sanitation devices, binoculars or other equipment.

(D) Use of hookups for electricity, cable, or sewer.

(E) Use of sanitary dump stations.

(F) Participation in an enhanced interpretive program or special tour.

(G) Use of reservation services.

(H) Use of transportation services.

(I) Use of areas where emergency medical or first-aid services are administered from facilities staffed by public employees or employees under a contract or reciprocal agreement with the Federal Government.

(J) Use of developed swimming sites that provide at least a majority of the following:

(i) Bathhouse with showers and flush toilets.
(ii) Refuse containers.
(iii) Picnic areas.
(iv) Paved parking.
(v) Attendants, including lifeguards.
(vi) Floats encompassing the swimming area.
(vii) Swimming deck.

(h) Special Recreation Permit Fee- The Secretary may issue a special recreation permit, and charge a special recreation permit fee in

connection with the issuance of the permit, for specialized recreation uses of Federal recreational lands and waters, such as group activities, recreation events, motorized recreational vehicle use.

## SEC. 804. PUBLIC PARTICIPATION.

(a) In General- As required in this section, the Secretary shall provide the public with opportunities to participate in the development of or changing of a recreation fee established under this Act.
(b) Advance Notice- The Secretary shall publish a notice in the Federal Register of the establishment of a new recreation fee area for each agency 6 months before establishment. The Secretary shall publish notice of a new recreation fee or a change to an existing recreation fee established under this Act in local newspapers and publications located near the site at which the recreation fee would be established or changed.
(c) Public Involvement- Before establishing any new recreation fee area, the Secretary shall provide opportunity for public involvement by--

(1) establishing guidelines for public involvement;
(2) establishing guidelines on how agencies will demonstrate on an annual basis how they have provided information to the public on the use of recreation fee revenues; and
(3) publishing the guidelines in paragraphs (1) and (2) in the Federal Register.

(d) Recreation Resource Advisory Committee-

(1) ESTABLISHMENT-

(A) AUTHORITY TO ESTABLISH- Except as provided in subparagraphs (C) and (D), the Secretary or the Secretaries shall establish a Recreation Resource Advisory Committee in each State or region for Federal recreational lands and waters managed by the Forest Service or the Bureau of Land Management to perform the duties described in paragraph (2).
(B) NUMBER OF COMMITTEES- The Secretary may have as many additional Recreation Resource Advisory Committees in a State or region as the Secretary considers necessary for the effective operation of this Act.
(C) EXCEPTION- The Secretary shall not establish a Recreation Resource Advisory Committee in a State if the Secretary determines, in consultation with the Governor of the State, that sufficient interest does not exist to ensure that participation on the Committee is balanced in terms of the points of view represented and the functions to be performed.
(D) USE OF OTHER ENTITIES- In lieu of establishing a Recreation Resource Advisory Committee under subparagraph (A), the Secretary may use a Resource

Advisory Committee established pursuant to another provision of law and in accordance with that law or a recreation fee advisory board otherwise established by the Secretary to perform the duties specified in paragraph (2).

(2) DUTIES- In accordance with the procedures required by paragraph (9), a Recreation Resource Advisory Committee may make recommendations to the Secretary regarding a standard amenity recreation fee or an expanded amenity recreation fee, whenever the recommendations relate to public concerns in the State or region covered by the Committee regarding--

(A) the implementation of a standard amenity recreation fee or an expanded amenity recreation fee or the establishment of a specific recreation fee site;

(B) the elimination of a standard amenity recreation fee or an expanded amenity recreation fee; or

(C) the expansion or limitation of the recreation fee program.

(3) MEETINGS- A Recreation Resource Advisory Committee shall meet at least annually, but may, at the discretion of the Secretary, meet as often as needed to deal with citizen concerns about the recreation fee program in a timely manner.

(4) NOTICE OF REJECTION- If the Secretary rejects the recommendation of a Recreation Resource Advisory Committee, the Secretary shall issue a notice that identifies the reasons for rejecting the recommendation to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than 30 days before the Secretary implements a decision pertaining to that recommendation.

(5) COMPOSITION OF THE ADVISORY COMMITTEE-

(A) NUMBER- A Recreation Resource Advisory Committee shall be comprised of 11 members.

(B) NOMINATIONS- The Governor and the designated county official from each county in the relevant State or Region may submit a list of nominations in the categories described under subparagraph (D).

(C) APPOINTMENT- The Secretary may appoint members of the Recreation Resource Advisory Committee from the list as provided in subparagraph (B).

(D) BROAD AND BALANCED REPRESENTATION- In appointing the members of a Recreation Resource Advisory Committee, the Secretary shall provide for a balanced and broad representation from the recreation community that shall include the following:

(i) Five persons who represent recreation users and that include, as appropriate, persons representing the following:

(I) Winter motorized recreation, such as snowmobiling.
(II) Winter non-motorized recreation, such as snowshoeing, cross country and down hill skiing, and snowboarding.
(III) Summer motorized recreation, such as motorcycles, boaters, and off-highway vehicles.
(IV) Summer nonmotorized recreation, such as backpacking, horseback riding, mountain biking, canoeing, and rafting.
(V) Hunting and fishing.

(ii) Three persons who represent interest groups that include, as appropriate, the following:
(I) Motorized outfitters and guides.
(II) Non-motorized outfitters and guides.
(III) Local environmental groups.

(iii) Three persons, as follows:
(I) State tourism official to represent the State.
(II) A person who represents affected Indian tribes.
(III) A person who represents affected local government interests.

(6) TERM-
(A) LENGTH OF TERM- The Secretary shall appoint the members of a Recreation Resource Advisory Committee for staggered terms of 2 and 3 years beginning on the date that the members are first appointed.

The Secretary may reappoint members to subsequent 2- or 3-year terms.

(B) EFFECT OF VACANCY- The Secretary shall make appointments to fill a vacancy on a Recreation Resource Advisory Committee as soon as practicable after the vacancy has occurred.
(C) EFFECT OF UNEXPECTED VACANCY- Where an unexpected vacancy occurs, the Governor and the designated county officials from each county in the relevant State shall provide the Secretary with a list of nominations in the relevant category, as described under paragraph (5)(D), not later than two months after notification of the vacancy. To the extent possible, a vacancy shall be filled in the same category and term in which the original appointment was made.

(7) CHAIRPERSON- The chairperson of a Recreation Resource Advisory Committee shall be selected by the majority vote of the members of the Committee.

(8) QUORUM- Eight members shall constitute a quorum. A quorum must be present to constitute an official meeting of a Recreation Resource Advisory Committee.

(9) APPROVAL PROCEDURES- A Recreation Resource Advisory Committee shall establish procedures for making recommendations to the Secretary. A recommendation may be submitted to the Secretary only if the recommendation is approved by a majority of the members of the Committee from each of the categories specified in paragraph (5)(D) and general public support for the recommendation is documented.

(10) COMPENSATION- Members of the Recreation Resource Advisory Committee shall not receive any compensation.

(11) PUBLIC PARTICIPATION IN THE RECREATION RESOURCE ADVISORY COMMITTEE-

(A) NOTICE OF MEETINGS- All meetings of a Recreation Resource Advisory Committee shall be announced at least one week in advance in a local newspaper of record and the Federal Register, and shall be open to the public.

(B) RECORDS- A Recreation Resource Advisory Committee shall maintain records of the meetings of the Recreation Resource Advisory Committee and make the records available for public inspection.

(12) FEDERAL ADVISORY COMMITTEE ACT- A Recreation Resource Advisory Committee is subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

(e) Miscellaneous Administrative Provisions Regarding Recreation Fees and Recreation Passes-

(1) NOTICE OF ENTRANCE FEES, STANDARD AMENITY RECREATION FEES, AND PASSES- The Secretary shall post clear notice of any entrance fee, standard amenity recreation fee, and available recreation passes at appropriate locations in each unit or area of a Federal land management agency where an entrance fee or a standard amenity recreation fee is charged. The Secretary shall include such notice in publications distributed at the unit or area.

(2) NOTICE OF RECREATION FEE PROJECTS- To the extent practicable, the Secretary shall post clear notice of locations where work is performed using recreation fee or recreation pass revenues collected under this Act.

## SEC. 805. RECREATION PASSES.

(a) America the Beautiful--the National Parks and Federal Recreational Lands Pass-

(1) AVAILABILITY AND USE- The Secretaries shall establish, and may charge a fee for, an interagency national pass to be known as the `America the Beautiful--the National Parks and Federal Recreational Lands Pass', which shall cover the entrance fee and

standard amenity recreation fee for all Federal recreational lands and waters for which an entrance fee or a standard amenity recreation fee is charged.

(2) IMAGE COMPETITION FOR RECREATION PASS- The Secretaries shall hold an annual competition to select the image to be used on the National Parks and Federal Recreational Lands Pass for a year. The competition shall be open to the public and used as a means to educate the American people about Federal recreational lands and waters.

(3) NOTICE OF ESTABLISHMENT- The Secretaries shall publish a notice in the Federal Register when the National Parks and Federal Recreational Lands Pass is first established and available for purchase.

(4) DURATION- The National Parks and Federal Recreational Lands Pass shall be valid for a period of 12 months from the date of the issuance of the recreation pass to a passholder, except in the case of the age and disability discounted passes issued under subsection (b).

(5) PRICE- The Secretaries shall establish the price at which the National Parks and Federal Recreational Lands Pass will be sold to the public.

(6) SALES LOCATIONS AND MARKETING-

(A) IN GENERAL- The Secretary shall sell the National Parks and Federal Recreational Lands Pass at all Federal recreational lands and waters at which an entrance fee or a standard amenity recreation fee is charged and at such other locations as the Secretaries consider appropriate and feasible.

(B) USE OF VENDORS- The Secretary may enter into fee management agreements as provided in section 6.

(C) MARKETING- The Secretaries shall take such actions as are appropriate to provide for the active marketing of the National Parks and Federal Recreational Lands Pass.

(7) ADMINISTRATIVE GUIDELINES- The Secretaries shall issue guidelines on administration of the National Parks and Federal Recreational Lands Pass, which shall include agreement on price, the distribution of revenues between the Federal land management agencies, the sharing of costs, benefits provided, marketing and design, adequate documentation for age and disability discounts under subsection (b), and the issuance of that recreation pass to volunteers. The Secretaries shall take into consideration all relevant visitor and sales data available in establishing the guidelines.

(8) DEVELOPMENT AND IMPLEMENTATION AGREEMENTS- The Secretaries may enter into cooperative agreements with governmental and nongovernmental entities for the development and implementation of the National Parks and Federal Recreational Lands Pass Program.

(9) PROHIBITION ON OTHER NATIONAL RECREATION PASSES- The Secretary may not establish any national recreation pass, except as provided in this section.

(b) Discounted Passes-

(1) AGE DISCOUNT- The Secretary shall make the National Parks and Federal Recreational Lands Pass available, at a cost of $10.00, to any United States citizen or person domiciled in the United States who is 62 years of age or older, if the citizen or person provides adequate proof of such age and such citizenship or residency. The National Parks and Federal Recreational Lands Pass made available under this subsection shall be valid for the lifetime of the pass holder.

(2) DISABILITY DISCOUNT- The Secretary shall make the National Parks and Federal Recreational Lands Pass available, without charge, to any United States citizen or person domiciled in the United States who has been medically determined to be permanently disabled for purposes of section 7(20)(B)(i) of the Rehabilitation Act of 1973 (29 U.S.C. 705(20)(B)(i)), if the citizen or person provides adequate proof of the disability and such citizenship or residency. The National Parks and Federal Recreational Lands Pass made available under this subsection shall be valid for the lifetime of the passholder.

(c) Site-Specific Agency Passes- The Secretary may establish and charge a fee for a site-specific pass that will cover the entrance fee or standard amenity recreation fee for particular Federal recreational lands and waters for a specified period not to exceed 12 months.

(d) Regional Multientity Passes-

(1) PASSES AUTHORIZED- The Secretary may establish and charge a fee for a regional multientity pass that will be accepted by one or more Federal land management agencies or by one or more governmental or nongovernmental entities for a specified period not to exceed 12 months. To include a Federal land management agency or governmental or nongovernmental entity over which the Secretary does not have jurisdiction, the Secretary shall obtain the consent of the head of such agency or entity.

(2) REGIONAL MULTIENTITY PASS AGREEMENT- In order to establish a regional multientity pass under this subsection, the Secretary shall enter into a regional multientity pass agreement with all the participating agencies or entities on price, the distribution of revenues between participating agencies or entities, the sharing of costs, benefits provided, marketing and design, and the issuance of the pass to volunteers. The Secretary shall take into consideration all relevant visitor and sales data available when entering into this agreement.

(e) Discounted or Free Admission Days or Use- The Secretary may provide for a discounted or free admission day or use of Federal recreational lands and waters.

(f) Effect on Existing Passports and Permits-

(1) EXISTING PASSPORTS- A passport issued under section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-6a) or title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105-391; 16 U.S.C. 5991-5995), such as the Golden Eagle Passport, the Golden Age Passport, the Golden Access Passport, and the National Parks Passport, that was valid on the day before the publication of the Federal Register notice required under subsection (a)(3) shall be valid in accordance with the terms agreed to at the time of issuance of the passport, to the extent practicable, and remain in effect until expired, lost, or stolen.

(2) PERMITS- A permit issued under section 4 of the Land and Water Conservation Fund Act of 1965 that was valid on the day before the date of the enactment of this Act shall be valid and remain in effect until expired, revoked, or suspended.

## SEC. 806. COOPERATIVE AGREEMENTS.

(a) Fee Management Agreement- Notwithstanding chapter 63 of title 31, United States Code, the Secretary may enter into a fee management agreement, including a contract, which may provide for a reasonable commission, reimbursement, or discount, with the following entities for the following purposes:

(1) With any governmental or nongovernmental entity, including those in a gateway community, for the purpose of obtaining fee collection and processing services, including visitor reservation services.

(2) With any governmental or nongovernmental entity, including those in a gateway community, for the purpose of obtaining emergency medical services.

(3) With any governmental entity, including those in a gateway community, to obtain law enforcement services.

(b) Revenue Sharing- A State or legal subdivision of a State that enters into an agreement with the Secretary under subsection (a) may share in a percentage of the revenues collected at the site in accordance with that fee management agreement.

(c) County Proposals- The Secretary shall consider any proposal submitted by a county to provide services described in subsection (a). If the Secretary decides not to enter into a fee management agreement with the county under subsection (a), the Secretary shall notify the county in writing of the decision, identifying the reasons for the decision. The fee management agreement may include cooperative site planning and management provisions.

## SEC. 807. SPECIAL ACCOUNT AND DISTRIBUTION OF FEES AND REVENUES.

(a) Special Account- The Secretary of the Treasury shall establish a special account in the Treasury for each Federal land management agency.

(b) Deposits- Subject to subsections (c), (d), and (e), revenues collected by each Federal land management agency under this Act shall--

(1) be deposited in its special account; and

(2) remain available for expenditure, without further appropriation, until expended.

(c) Distribution of Recreation Fees and Single-Site Agency Pass Revenues-

(1) LOCAL DISTRIBUTION OF FUNDS-

(A) RETENTION OF REVENUES- Not less than 80 percent of the recreation fees and site-specific agency pass revenues collected at a specific unit or area of a Federal land management agency shall remain available for expenditure, without further appropriation, until expended at that unit or area.

(B) REDUCTION- The Secretary may reduce the percentage allocation otherwise applicable under subparagraph (A) to a unit or area of a Federal land management agency, but not below 60 percent, for a fiscal year if the Secretary determines that the revenues collected at the unit or area exceed the reasonable needs of the unit or area for which expenditures may be made for that fiscal year.

(2) AGENCY-WIDE DISTRIBUTION OF FUNDS- The balance of the recreation fees and site-specific agency pass revenues collected at a specific unit or area of a Federal land management and not distributed in accordance with paragraph (1) shall remain available to that Federal land management agency for expenditure on an agency-wide basis, without further appropriation, until expended.

(3) OTHER AMOUNTS- Other amounts collected at other locations, including recreation fees collected by other entities or for a reservation service, shall remain available, without further appropriation, until expended in accordance with guidelines established by the Secretary.

(d) Distribution of National Parks and Federal Recreational Lands Pass Revenues- Revenues collected from the sale of the National Parks and Federal Recreational Lands Pass shall be deposited in the special accounts established for the Federal land management agencies in accordance with the guidelines issued under section 5(a)(7).

(e) Distribution of Regional Multientity Pass Revenues- Revenues collected from the sale of a regional multientity pass authorized under section 5(d) shall be deposited in each participating Federal land management agency's special account in accordance with the terms of

the region multientity pass agreement for the regional multientity pass.

## SEC. 808. EXPENDITURES.

(a) Use of Fees at Specific Site or Area- Amounts available for expenditure at a specific site or area--

(1) shall be accounted for separately from the amounts collected;

(2) may be distributed agency-wide; and

(3) shall be used only for--

(A) repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, and health and safety;

(B) interpretation, visitor information, visitor service, visitor needs assessments, and signs;

(C) habitat restoration directly related to wildlife-dependent recreation that is limited to hunting, fishing, wildlife observation, or photography;

(D) law enforcement related to public use and recreation;

(E) direct operating or capital costs associated with the recreation fee program; and

(F) a fee management agreement established under section 6(a) or a visitor reservation service.

(b) Limitation on Use of Fees- The Secretary may not use any recreation fees for biological monitoring on Federal recreational lands and waters under the Endangered Species Act of 1973 for listed or candidate species.

(c) Administration, Overhead, and Indirect Costs- The Secretary may use not more than an average of 15 percent of total revenues collected under this Act for administration, overhead, and indirect costs related to the recreation fee program by that Secretary.

(d) Transitional Exception- Notwithstanding any other provision of this Act, the Secretary may use amounts available in the special account of a Federal land management agency to supplement administration and marketing costs associated with--

(1) the National Parks and Federal Recreational Lands Pass during the 5-year period beginning on the date the joint guidelines are issued under section 5(a)(7); and

(2) a regional multientity pass authorized section 5(d) during the 5-year period beginning on the date the regional multientity pass agreement for that recreation pass takes effect.

## SEC. 809. REPORTS.

Not later than May 1, 2006, and every 3 years thereafter, the Secretary shall submit to Congress a report detailing the status of the

recreation fee program conducted for Federal recreational lands and waters, including an evaluation of the recreation fee program, examples of projects that were funded using such fees, and future projects and programs for funding with fees, and containing any recommendations for changes in the overall fee system.

## SEC. 810. SUNSET PROVISION.

The authority of the Secretary to carry out this Act shall terminate 10 years after the date of the enactment of this Act.

## SEC. 811. VOLUNTEERS.

(a) Authority to Use Volunteers- The Secretary may use volunteers, as appropriate, to collect recreation fees and sell recreation passes.
(b) Waiver or Discount of Fees; Site-Specific Agency Pass- In exchange for volunteer services, the Secretary may waive or discount an entrance fee, standard amenity recreation fee, or an expanded amenity recreation fee that would otherwise apply to the volunteer or issue to the volunteer a site-specific agency pass authorized under section 5(c).
(c) National Parks and Federal Recreational Lands Pass- In accordance with the guidelines issued under section 5(a)(7), the Secretaries may issue a National Parks and Federal Recreational Lands Pass to a volunteer in exchange for significant volunteer services performed by the volunteer.
(d) Regional Multientity Passes- The Secretary may issue a regional multientity pass authorized under section 5(d) to a volunteer in exchange for significant volunteer services performed by the volunteer, if the regional multientity pass agreement under which the regional multientity pass was established provides for the issuance of the pass to volunteers.

## SEC. 812. ENFORCEMENT AND PROTECTION OF RECEIPTS.

(a) Enforcement Authority- The Secretary concerned shall enforce payment of the recreation fees authorized by this Act.
(b) Evidence of Nonpayment- If the display of proof of payment of a recreation fee, or the payment of a recreation fee within a certain time period is required, failure to display such proof as required or to pay the recreation fee within the time period specified shall constitute nonpayment.
(c) Joint Liability- The registered owner and any occupant of a vehicle charged with a nonpayment violation involving the vehicle shall be jointly liable for penalties imposed under this section, unless the

registered owner can show that the vehicle was used without the registered owner's express or implied permission.
(d) Limitation on Penalties- The failure to pay a recreation fee established under this Act shall be punishable as a Class A or Class B misdemeanor, except that in the case of a first offense of nonpayment, the fine imposed may not exceed $100, notwithstanding section 3571(e) of title 18, United States Code.

## 813. REPEAL OF SUPERSEDED ADMISSION AND USE FEE AUTHORITIES.

(a) Land and Water Conservation Fund Act- Subsections (a), (b), (c), (d), (e), (f), (g), and (i) of section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-6a et seq.) are repealed, except that the Secretary may continue to issue Golden Eagle Passports, Golden Age Passports, and Golden Access Passports under such section until the date the notice required by section 5(a)(3) is published in the Federal Register regarding the establishment of the National Parks and Federal Recreational Lands Pass.
(b) Recreational Fee Demonstration Program- Section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104-134; 16 U.S.C. 460l-6a), is repealed.
(c) Admission Permits for Refuge Units- Section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) is repealed.
(d) National Park Passport, Golden Eagle Passport, Golden Age Passport, and Golden Access Passport- Effective on the date the notice required by section 5(a)(3) is published in the Federal Register, the following provisions of law authorizing the establishment of a national park passport program or the establishment and sale of a national park passport, Golden Eagle Passport, Golden Age Passport, or Golden Access Passport are repealed:

(1) Section 502 of the National Parks Omnibus Management Act of 1998 (Public Law 105-391; 16 U.S.C. 5982).
(2) Title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105-391; 16 U.S.C. 5991-5995).

(e) Treatment of Unobligated Funds-

(1) LAND AND WATER CONSERVATION FUND SPECIAL ACCOUNTS- Amounts in the special accounts established under section 4(i)(1) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-6a(i)(1)) for Federal land management agencies that are unobligated on the date of the enactment of this Act shall be transferred to the appropriate special account established under section 7 and shall be available to the Secretary in accordance with this Act. A special account established under section 4(i)(1) of the Land and Water Conservation Fund Act of 1965 for a Federal agency that is not a

Federal land management area, and the use of such special account, is not affected by the repeal of section 4 of the Land and Water Conservation Fund Act of 1965 by subsection (a) of this section.

(2) NATIONAL PARKS PASSPORT- Any funds collected under title VI of the National Parks Omnibus Management Act of 1998 (Public Law 105-391; 16 U.S.C. 5991-5995) that are unobligated on the day before the publication of the Federal Register notice required under section 5(a)(3) shall be transferred to the special account of the National Park Service for use in accordance with this Act. The Secretary of the Interior may use amounts available in that special account to pay any outstanding administration, marketing, or close-out costs associated with the national parks passport.

(3) RECREATIONAL FEE DEMONSTRATION PROGRAM- Any funds collected in accordance with section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (as contained in section 101(c) of Public Law 104-134; 16 U.S.C. 460l-6a), that are unobligated on the day before the date of the enactment of this Act shall be transferred to the appropriate special account and shall be available to the Secretary in accordance with this Act.

(4) ADMISSION PERMITS FOR REFUGE UNITS- Any funds collected in accordance with section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) that are available as provided in subsection (c)(A) of such section and are unobligated on the day before the date of the enactment of this Act shall be transferred to the special account of the United States Fish and Wildlife Service for use in accordance with this Act.

(f) Effect of Regulations- A regulation or policy issued under a provision of law repealed by this section shall remain in effect to the extent such a regulation or policy is consistent with the provisions of this Act until the Secretary issues a regulation, guideline, or policy under this Act that supersedes the earlier regulation.

## SEC. 814. RELATION TO OTHER LAWS AND FEE COLLECTION AUTHORITIES.

(a) Federal and State Laws Unaffected- Nothing in this Act shall authorize Federal hunting or fishing licenses or fees or charges for commercial or other activities not related to recreation, affect any rights or authority of the States with respect to fish and wildlife, or repeal or modify any provision of law that permits States or political subdivisions of States to share in the revenues from Federal lands or, except as provided in subsection (b), any provision of law that provides that any fees or charges collected at particular Federal areas

be used for or credited to specific purposes or special funds as authorized by that provision of law.

(b) Relation to Revenue Allocation Laws- Amounts collected under this Act, and the existence of a fee management agreement with a governmental entity under section 6(a), may not be taken into account for the purposes of any of the following laws:

(1) The sixth paragraph under the heading `FOREST SERVICE' in the Act of May 23, 1908 (16 U.S.C. 500).

(2) Section 13 of the Act of March 1, 1911 (16 U.S.C. 500; commonly known as the Weeks Act).

(3) The fourteenth paragraph under the heading `FOREST SERVICE' in the Act of March 4, 1913 (16 U.S.C. 501).

(4) Section 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012).

(5) Title II of the Act of August 8, 1937, and the Act of May 24, 1939 (43 U.S.C. 1181f et seq.).

(6) Section 6 of the Act of June 14, 1926 (43 U.S.C. 869-4).

(7) Chapter 69 of title 31, United States Code.

(8) Section 401 of the Act of June 15, 1935 (16 U.S.C. 715s; commonly known as the Refuge Revenue Sharing Act).

(9) The Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393; 16 U.S.C. 500 note), except that the exception made for such Act by this subsection is unique and is not intended to be construed as precedent for amounts collected from the use of Federal lands under any other provision of law.

(10) Section 2 of the Boulder Canyon Project Adjustment Act (43 U.S.C. 618a).

(11) The Federal Water Project Recreation Act (16 U.S.C. 460l-12 et seq.).

(12) The first section of the Act of June 17, 1902, as amended or supplemented (43 U.S.C. 391).

(13) The Act of February 25, 1920 (30 U.S.C. 181 et seq.; commonly known as the Mineral Leasing Act).

(14) Section 4(e) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 31 U.S.C. 6901 note).

(15) Section 5(a) of the Lincoln County Land Act of 2000 (Public Law 106-298; 114 Stat. 1047).

(16) Any other provision of law relating to revenue allocation.

(c) Consideration of Other Funds Collected- Amounts collected under any other law may not be disbursed under this Act.

(d) Sole Recreation Fee Authority- Recreation fees charged under this Act shall be in lieu of fees charged for the same purposes under any other provision of law.

(e) Fees Charged by Third Parties- Notwithstanding any other provision of this Act, a third party may charge a fee for providing a good or service to a visitor of a unit or area of the Federal land

management agencies in accordance with any other applicable law or regulation.

(f) Migratory Bird Hunting Stamp Act- Revenues from the stamp established under the Act of March 16, 1934 (16 U.S.C. 718 et seq.; commonly known as the Migratory Bird Hunting Stamp Act or Duck Stamp Act), shall not be covered by this Act.

## SEC. 815. LIMITATION ON USE OF FEES FOR EMPLOYEE BONUSES.

Notwithstanding any other provision of law, fees collected under the authorities of the Act may not be used for employee bonuses.

# Ethics

## Background

In 1972, Congress passed the Federal Advisory Committee Act (FACA) to provide an orderly procedure for Federal agencies to use in seeking the advice, assistance, and input of persons outside the government.

## Representatives

Representatives are individuals who are appointed to an advisory committee to provide the committee with points of view of non-governmental entities or recognizable groups of persons that have interests in the subject matter under a committee's charge.

Representatives serve as the voice of groups or entities with a stake or interest in a particular matter before an advisory committee.

## What ethics rules apply to FACA committee members?

Generally speaking, representatives may acquire and retain an interest through a license or permit in land or resources administered by the Bureau of Land Management.

Representatives may not participate in any advice or recommendation concerning a license or permit in which such a member has a direct interest.

Representatives may not provide advice or a recommendation regarding a license or permit in connection with:

| Direct Interests | Indirect Interests |
|---|---|
| • His/her own interests in Federal lands.<br>• His/her membership in an organization or employment by a business with an interest in Federal lands.<br>• Stock ownership or other securities in corporations with an interest in Federal lands.<br>• A right to occupy, use, or benefit therefrom based on contract, grant, lease, permit, agreement, or application. | • Ownership/partial ownership of an interest in Federal land, even if held in the name of another, e.g. holdings in land, mineral rights, grazing rights, or livestock which in any manner involve substantial use of Federal lands or resources.<br>• Substantial holdings of a spouse or child. |

‡ ***Additional information regarding ethical standards is available in 43 CFR 1784 – Advisory Committees***

Revised JUNE 2014

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

# *Concur Government Edition (CGE) User Profile Request and FBMS Vendor Master Setup*

DATE

*REQUEST TYPE:* ☐ NEW USER ☐ TRANSFER WITHIN BLM ☐ CHANGE VENDOR MASTER

## *TRAVELER INFORMATION*

*Must Use Full Legal Name*

FIRST MIDDLE LAST

SOCIAL SECURITY DATE OF BIRTH ☐ MALE ☐ FEMALE

BLM EMAIL ORGANIZATION CODE

*CHECK ALL APPLICABLE BOXES*

☐ I AM A BLM EMPLOYEE (INCLUDES ADs & TEMPS) ☐ I AM A SUPERVISOR AND APPROVE TRAVEL DOCUMENTS

☐ I AM A TRAVEL ARRANGER ☐ I AM AN INVITATIONAL TRAVELER (RAC MEMBERS, LOCAL GOVERNMENT, POLITICAL APPOINTEES.)

☐ I AM A BLM EMPLOYEE THAT WILL BE TRAVELING WITHIN THE FIRST 2 WEEKS OF EMPLOYMENT *(MUST COMPLETE FINANCIAL INFO SECTION)*

I WILL BE ISSUED A GOVERNMENT TRAVEL CHARGE CARD: ☐ Yes ☐ No

## *HOME RESIDENCE INFORMATION*

ADDRESS

CITY STATE ZIP CODE

## *OFFICE INFORMATION*

ADDRESS CITY

STATE ZIP CODE OFFICE PHONE OFFICE FAX

## *FINANCIAL INSTITUTION INFORMATION FOR DIRECT DEPOSIT OF TRAVEL REIMBURSEMENTS*

****DO NOT complete this section if you are a BLM employee and would like your travel reimbursement to deposit in the same bank account as your payroll currently does.****

*This section is only required if you are an Invitational Traveler, a new BLM employee that will be traveling within the first two weeks of your employment, or if you want your travel reimbursements to deposit in a different bank account other than where your payroll deposit is going.*

FINANCIAL INSTITUTION NAME

FINANCIAL INSTITUTION ADDRESS

CITY STATE ZIP CODE

NINE DIGIT ROUTING NUMBER ACCOUNT NUMBER

ACCOUNT TYPE ☐ CHECKING ☐ SAVINGS ☐ FOR TRAVEL DEPOSITS ONLY

EMPLOYEE SIGNATURE:

## **** FEDERAL AGENCY TRAVEL ADMINISTRATOR USE ONLY ****

PERMISSION LEVELS DATE ENTERED

UNIQUE ID EIN TEMP PASSWORD

ROUTING LIST ENTERED BY

| CLAIM FOR REIMBURSEMENT FOR EXPENDITURES ON OFFICIAL BUSINESS | 1. DEPARTMENT OR ESTABLISHMENT, BUREAU, DIVISION OR OFFICE | 2. VOUCHER NUMBER<br>3. SCHEDULE NUMBER |
|---|---|---|

*Read the Privacy Act Statement on the back of this form.*

**5. PAID BY**

**4. CLAIMANT**

| a. NAME *(Last, first, middle initial)* | b. SOCIAL SECURITY NO. |
|---|---|
| c. MAILING ADDRESS *(Include ZIP Code)* | d. OFFICE TELEPHONE NUMBER |

**6. EXPENDITURES** *(If fare claimed in col. (g) exceeds charge for one person, show in col. (h) the number of additional persons which accompanied the claimant.)*

*Show appropriate code in col. (b):*
**A** - Local travel
**B** - Telephone or telegraph, or
**C -** Other expenses *(itemized)*
**D -** Funeral Honors Detail
**E -** Specialty Care

| DATE 20____ (a) | CODE (b) | *(Explain expenditures in specific detail.)* (c) FROM | (d) TO | MILEAGE RATE / NO. OF MILES (e) | AMOUNT CLAIMED: MILEAGE (f) | FARE OR TOLL (g) | ADD PER-SONS (h) | TIPS AND MISCEL-LANEOUS (i) |
|---|---|---|---|---|---|---|---|---|
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| *If additional space is required continue on the back.* | | | **SUBTOTALS CARRIED FORWARD FROM THE BACK** | | | | | |
| **7. AMOUNT CLAIMED** *(Total of cols. (f), (g) and (i).)* ▶ **$** | | | | **TOTALS** | | | | |

8. This claim is approved. Long distance telephone calls, if shown, are certified as necessary in the interest of the Government. *(Note: If long distance calls are included, the approving official must have been authorized in writing, by the head of the department or agency to so certify (31 U.S.C. 680a).)*

*Sign Original Only*

**APPROVING OFFICIAL SIGN HERE** ▶ DATE

9. This claim is certified correct and proper for payment.

*Sign Original Only*

**APPROVING OFFICIAL SIGN HERE** ▶ DATE

10. I certify that this claim is true and correct to the best of my knowledge and belief and that payment or credit has not been received by me.

*Sign Original Only*

**CLAIMANT SIGN HERE** ▶ DATE

**11. CASH PAYMENT RECEIPT**

| a. PAYEE *(Signature)* | b. DATE RECEIVED |
|---|---|
| | c. AMOUNT $ |

**12. PAYMENT MADE BY CHECK NO.**

*ACCOUNTING CLASSIFICATION*

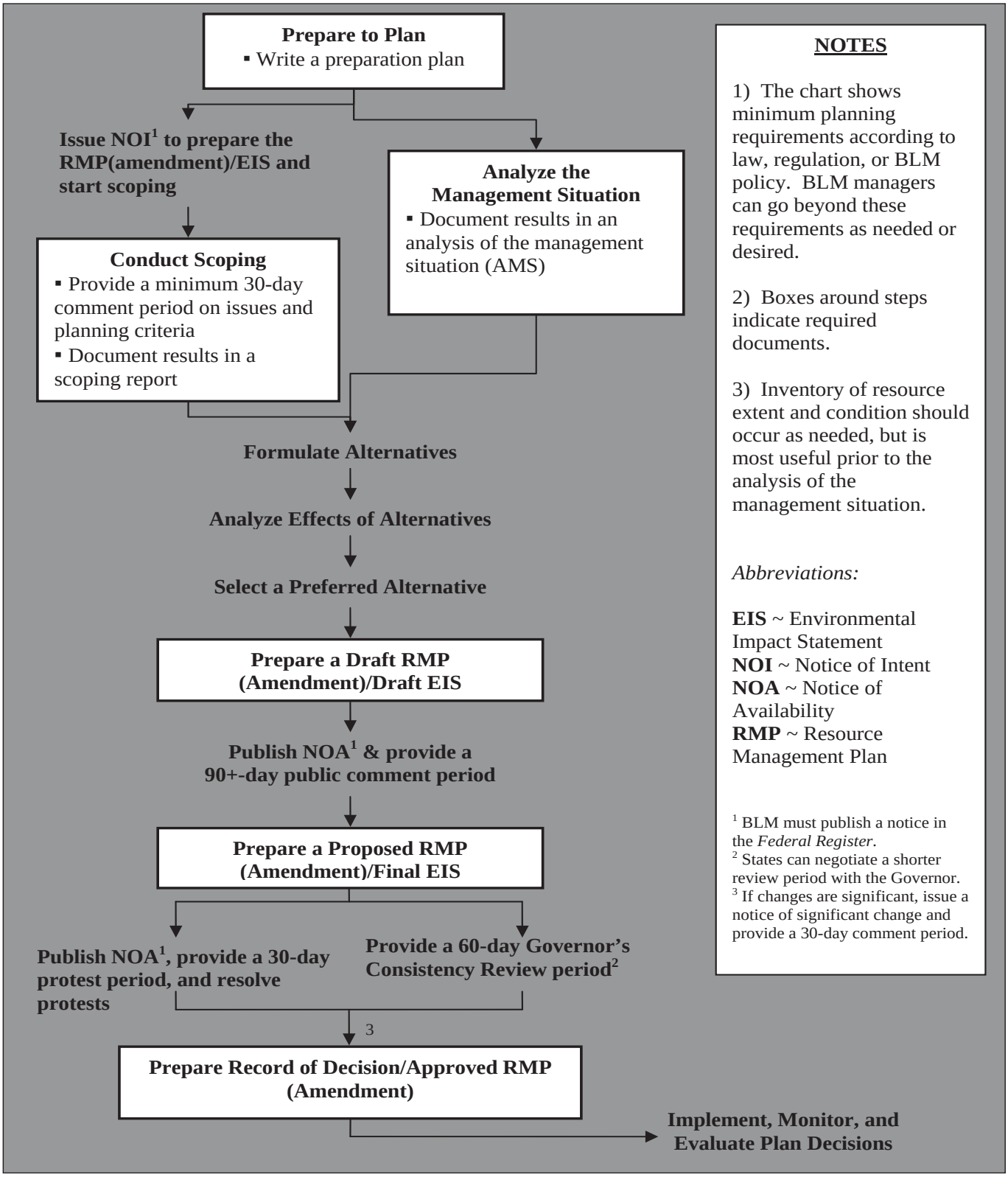


**Figure 1.**—***EIS-level planning efforts: Required steps for new plans, revisions, and amendments***