

Authorities, Statutes, and Regulations:

Federal Grants and Cooperative Agreements Act of 1977, as amended by the Using Procurement Contracts and Grant and Cooperative Agreements Act of September 13, 1982 (31 U.S.C. 6301-6308, Pub. L. 97-258), as amended. Unless the relationship is otherwise specified by statute, this Act requires that Federal agencies characterize the relationship between a Federal and non-Federal party as one of a procurement contract or of Federal financial assistance. The selection of a particular instrument, such as, a procurement contract or an assistance instrument, to document the transaction shall be determined by this relationship (FSH 1509.11, ch. 20.1).

Cooperative Funds Act of June 30, 1914 (16 U.S.C. 498, as amended by Pub. L. 104-127). This Act authorizes the Forest Service to accept money received as contributions toward cooperative work in forest investigations or protection, management and improvement of the National Forest System (FSH 1509.11, ch. 40.1)..

Granger-Thye Act of April 24, 1950 (16. U.S.C. 572). Section 5 of this Act authorizes the Forest Service to perform work to be done for the benefit of the depositor, for administration, protection, improvement, reforestation, and such other kinds of work as the Forest Service is authorized to do on lands of the United States: (a) on State, county, municipal, or private land within or near National Forest land, or (b) for others who occupy or use National Forests or other lands administered by the Forest Service (FSH 1509.11, ch. 40.1).

Cooperative Funds and Deposits Act of December 12, 1975 (16 U.S.C. 565al-a3, Pub. L. 94-148). This Act authorizes the Forest Service and cooperator(s) to perform work from which they would accrue mutual non-monetary benefit (FSH 1509.11, ch. 70.1).

Interior and Related Agencies Appropriations Act of 1992 (Pub. L. 102-154, (Challenge Cost Share). This Act authorizes the Forest Service to cooperate with others in developing, planning, and implementing mutually beneficial projects that enhance Forest Service activities, where the cooperators provide matching funds or in-kind contributions. Cooperators may be public and private agencies, organizations, institutions, and individuals (FSH 1509.11, ch. 70.1).

Federal Employees International Organization Service Act (5 U.S.C. 3343 and 3581-3584), as amended. This Act authorizes the Forest Service to detail employees to an international organization that requests services for a period not to exceed 5 years (FSH 1509.11, ch. 40.1).

National Agricultural Research, Extension, and Teaching Policy Act of 1977 (Pub. L. 95-113), as amended by the Food Security Act of 1985 (7 U.S.C. 3318, and 3319, Pub. L. 99-198, and further amended by Public Law 105-198. This act allows the Forest Service to: a.) Enter into joint venture agreements with any entity or individual to serve the mutual interest of the parties in agricultural research, and teaching activities, whereby all parties contribute resources to accomplish those objectives (7 U.S.C. 3318(b)). b.) Enter into cost reimbursable agreements with State cooperative institutions or other colleges and universities without regard to any requirement for competition, for the acquisition of goods or services, including personal services, to carry out agricultural research or teaching activities of mutual interest (7 U.S.C. 3319(a), FSH 1509.11, ch. 70.1).

Federal Technology Transfer Act of 1986 (15 U.S.C. 3710a, Pub. L 96-480). This Act authorizes the Forest Service to enter into cooperative research and development agreements for technological transfer for commercial purposes (FSH 1509.11, ch. 70.1).

Service First Act, Public Law 106-291, as amended by Public Law 109-54 Title IV, Section 428.

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This Act is designed to improve customer service by providing streamlined, one-stop shopping across agency jurisdictional boundaries for public land users. Initially authorized for work between the Bureau of Land Management (BLM) and the Forest Service (FS), the Act has been extended to include National Park Service (NPS) and Fish and Wildlife Service (FWS) (FSH 1509.11, ch. 50.1).

Forest and Rangeland Renewable Resources Research Act of 1978, as amended (16 U.S.C. 1641-1646, Pub. L. 95-307). This Act authorizes implementation of a program of forest and rangeland renewable resources research, dissemination of the research findings, and the acceptance of gifts, donations, and bequests and the investing thereof (FSH 1509.11, ch. 20.1).

Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101-2114, Pub. L. 95-313). This Act authorizes the Forest Service to work through and in cooperation with State foresters or equivalent agencies, and other countries in implementing technical programs affecting non-Federal forest lands (FSH 1509.11, ch. 20.1).

National Forest Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6601 note, Pub. L. 101-624). Title XXIII, Subtitle G, Rural Revitalization Through Forestry, authorizes Forest Service establishment and implementation of educational programs and technical assistance to businesses, industries, and policy makers to create jobs, raise incomes, and increase public revenues in ways that are consistent with environmental concerns (FSH 1509.11, ch. 20.1).

Cooperative Law Enforcement Act of August 10, 1971 (16 U.S.C. 551a, Pub. L. 92-82). This Act authorizes Forest Service cooperation with State or political subdivisions to enforce or supervise laws and ordinances of a State or political division on National Forest Systems lands (FSH 1509.11, ch. 30.1).

The Reciprocal Fire Act of May 27, 1955 (42 U.S.C. 1856a, Pub. L. 84-46). This Act authorizes the Forest Service to enter into reciprocal agreements with any fire organization maintaining fire protection facilities in the vicinity of national forest lands (FSH 1509.11, ch. 30.1).

National Forest Roads and Trails Act of October 13, 1965 (16 U.S.C. 532-538, Pub. L. 88-657). This Act authorizes Forest Service financing and/or cooperation with other public agencies, private agencies, or individuals for acquisition, construction, and maintenance of forest development roads within or near national forests (FSH 1509.11, ch. 30.1).

Sikes Act of September 1, 1960 (126 U.S.C. 670g-670l, 670o, Pub. L. 86-797, as amended). This Act authorizes the Forest Service to cooperate with State wildlife agencies in conservation and rehabilitation programs for fish, wildlife, and plants considered threatened or endangered (FSH 1509.11, ch. 20.1).

Cooperation with Federal and State Agencies and Foreign Countries (Act of August 27, 1958, 23 USC 308(a), P. L. 85-767). This Act authorizes the Federal Highway Administration to perform by contract or otherwise, authorized engineering or other services in connection with the survey, construction, maintenance, or improvement of highways on behalf of other Government agencies (FSH 1509.11, ch. 50.1).

Intergovernmental Cooperation Act of 1968, as amended by the Intergovernmental Cooperation Act of September 13, 1982, (31 U.S.C. 6501-6508, Pub. L. 97-258). Title III of this Act authorizes the Forest Service to provide special or technical services to States or subdivisions of States (FSH 1509.11, ch. 40.1).

United States Information and Exchange Act (22 U.S.C. 1451 and 1479, Pub. L. 97-241). This Act authorizes the Forest Service to cooperate with a foreign government by providing, at its request, Forest Service employees with specific technical or professional qualifications (FSH 1509.11, ch. 40.1).

Department of Agriculture Reorganization (7 U.S.C. 6915). This Act directs agencies of the Department, where practicable, to combine field offices and jointly use office space, equipment, office supplies, and administrative and clerical personnel. (FSH 1509.11, ch. 40.1).

Stewardship Authority, section 323 of Public Law 108-7, Consolidated Appropriations Resolution for Fiscal Year 2003, (16 U.S.C. 2140 Note). The Forest Service may enter into agreements (or contracts) for services to achieve land management goals and meet local and rural community needs on a best-value basis. See, FSH 2409.19, chapter 60 - Stewardship Contracting, for direction on Stewardship Agreements. (FSH 1509.11, ch 70.1).

Wyden Amendment (Public Law 105-277, Section 323 as amended by Public Law 109-54, Section 434, and permanently authorized by Public Law 111-11, Section 3001). This authorizes the Forest Service to enter into cooperative agreements (that is, both federal financial assistance Cooperative Agreements and Participating Agreements) with willing Federal, tribal, State, and local governments, private and nonprofit entities, and landowners for:

- a. The protection, restoration, and enhancement of fish and wildlife habitat, and other natural or cultural resources on public or private lands;
- b. The reduction of risk for natural disaster where public safety is threatened; or
- c. A combination of both.

The agreements must result in a benefit to natural or cultural resources on national forests lands within the watershed. (FSH 1509.11, ch. 20.1 and ch. 70.1).

Public Law 110-246, Food, Conservation, and Energy Act of 2008, Title IX - ENERGY. This act authorizes the Forest Service to implement the Forest Biomass for Energy Program, under Section 9012. The Forest Biomass for Energy Program (CFDA 10.686) is a competitive research and development program that encourages the use of forest biomass for energy. (FSH 1509.11, ch. 20.1).

Public Law 110-246, Food, Conservation, and Energy Act of 2008, Title IX - ENERGY. This act authorizes the Forest Service to implement the Community Wood Energy Program under Section 9013. The Community Wood Energy Program (CFDA 10.685) is a competitive grant program in addition to demonstrations of new technologies and direct technical assistance. (FSH 1509.11, ch. 20.1).

Public Law 110-246, Food, Conservation, and Energy Act of 2008, Title IX – ENERGY, section 8003. This act authorizes the Forest Service to implement the Community Forest and Open Space conservation Program (CFP), under section 8003. The CFP is a competitive program that encourages the establishment of community forests by acquiring and protecting private forest lands. (FSH 1509.11, ch. 20.1).

Collaborative Forest Restoration Act, Public Law 106-393. This Act authorized the Forest Service in New Mexico to work through and with local and tribal governments, educational institutions, landowners, conservation organizations, and other interested public and private entities to implement Collaborative Forest Restoration (CFDA 10.679). The Community Forest Restoration is a competitive grant program overseen by a Technical Advisory Panel. (FSH 1509.11, ch. 20.1).

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Forest Land Enhancement Program, Farm Security and rural Investment Act of 2002, Public Law 107-171. This Act authorizes the Forest Service to grant funds to State Foresters to encourage the long-term sustainability of non-industrial private forest lands (CFDA 10.677). (FSH 1509.11, ch. 20.1).

National Forest Foundation Act, Public Law 101-593, Title IV, as amended by Public Law 103-106. This Act authorizes the Forest Service to grant earmarked funds to the National Forest Foundation (CFDA 10.682). Use of this authority is limited to the Washington Office. (FSH 1509.11, ch. 20.1).

National Fish and Wildlife Foundation Establishment Act, Public Law 98-244 as amended. This Act authorizes the Forest Service to grant earmarked funds to the National Fish and Wildlife Foundation (CFDA 10.683). Use of this authority is limited to the Washington Office. (FSH 1509.11, ch. 20.1).

Lake Tahoe Restoration Act, Public Law 106-506, as amended Public Law 108-108, Section 337. This Act authorizes the Forest Service to make annual payments to the governing bodies of each of the political subdivisions located in the Lake Tahoe Basin for erosion control and water quality projects. (CFDA 10.683). (FSH 1509.11, ch. 20.1).

The International Forestry Cooperation Act of 1990, (16 U.S.C. 4501, Pub. L. 101-513, as amended). This Act authorizes Forest Service cooperation and assistance with domestic and international organizations to further international programs, which support global environmental stability, scientific exchange and educational opportunities, and provide technical and managerial expertise (FSH 1509.11, ch. 20.1).

Secure Rural Schools and Community Self-Determination Act of 2000, Public Law 106-393, 16 U.S.C. 500, as reauthorized and amended by the Emergency Economic Stabilization Act of 2008, Energy Improvement and Extension Act of 2008, and Tax Extenders and Alternative Minimum Tax relief Act of 2008, Section 601(a) in division C of P.L. 110. This Act, as amended, is the same as, or similar to, P.L. 106-393. It authorizes the Forest Service to:

- a. Stabilize and transition payments to counties to provide funding for schools and roads that supplements other available funding (Title I);
- b. Make additional investments, and create additional employment opportunities through projects that improve maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality (Titles II and III); and
- c. Improve cooperative relationships among people that use and care for Federal land and the agencies that manage Federal land (Title II).

Consolidated Security, Disaster Assistance and Continuing Appropriations Act of 2009, Public Law 110-329; the 2005 Interior and Related Agencies Appropriations Act, Public Law 108-447; and the Omnibus Appropriations Act of 2009, Public Law 111-008. This Act (Good Neighbor Act) authorizes the Forest Service in Colorado and Utah to enter into agreements (or contracts) with their respective State Foresters to perform forest, rangeland, and watershed restoration services on National Forest System lands in Colorado and Utah.

Based on the aforementioned authorities, this supporting statement to OMB contains a request to collect information for the above-mentioned instruments (and, when required by agency directives, the accompanying statement of works and financial plans), and provides estimates of the burden

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(time, effort, and expense) required to collect the information. Records collected under this OMB information collection control number will be stored under the following Forest Service file code: 1580.