

[title I, §145], Nov. 29, 1999, 113 Stat. 1535, 1501A-171; Pub. L. 106-176, title III, §306, Mar. 10, 2000, 114 Stat. 33.)

AMENDMENTS

2000—Subsec. (c)(1). Pub. L. 106-176 directed amendment identical to amendment by Pub. L. 106-113. See 1999 Amendment note below.

1999—Subsec. (c)(1). Pub. L. 106-113 substituted “15 percent” for “10 percent”.

§ 5994. Foreign sales of Golden Eagle Passports

The Secretary of Interior shall—

(1) make Golden Eagle Passports issued under section 4607-6a(a)(1)(A) of this title or the Recreational Fee Demonstration Program authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (section 101(c) of Public Law 104-134; 16 U.S.C. 4607-6a note), available to foreign visitors to the United States; and

(2) make such Golden Eagle Passports available for purchase outside the United States, through commercial tourism channels and consulates or other offices of the United States.

(Pub. L. 105-391, title VI, §604, Nov. 13, 1998, 112 Stat. 3519.)

REFERENCES IN TEXT

Section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996, referred to in par. (1), is Pub. L. 104-134, title I, §101(c) [title III, §315], Apr. 26, 1996, 110 Stat. 1321-156, 1321-200, as amended, which is set out as a note under section 4607-6a of this title.

§ 5995. Effect on other laws and programs

(a) Park passport not required

A national park passport shall not be required for—

(1) a single visit to a national park that charges a single visit admission fee under section 4607-6a(a)(2) of this title or the Recreational Fee Demonstration Program authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996 (section 101(c) of Public Law 104-134; 16 U.S.C. 4607-6a note); or

(2) an individual who has obtained a Golden Age or Golden Access Passport under paragraph (4) or (5) of section 4607-6a(a) of this title.

(b) Golden Eagle Passports

A Golden Eagle Passport issued under section 4607-6a(a)(1)(A) of this title or such Recreational Fee Demonstration Program (16 U.S.C. 4607-6a note) shall be honored for admission to each unit of the National Park System.

(c) Access

A national park passport shall provide access to each unit of the National Park System under the same conditions, rules, and regulations as apply to access with a Golden Eagle Passport as of November 13, 1998.

(d) Limitations

A national park passport may not be used to obtain access to other Federal recreation fee areas outside of the National Park System.

(e) Exemptions and fees

A national park passport does not exempt the holder from or provide the holder any discount on any recreation use fee imposed under section 4607-6a(b) of this title or such Recreational Fee Demonstration Program (16 U.S.C. 4607-6a note).

(Pub. L. 105-391, title VI, §605, Nov. 13, 1998, 112 Stat. 3520.)

REFERENCES IN TEXT

Section 315 of the Department of the Interior and Related Agencies Appropriations Act, 1996, referred to in subsec. (a)(1), is Pub. L. 104-134, title I, §101(c) [title III, §315], Apr. 26, 1996, 110 Stat. 1321-156, 1321-200, as amended, which is set out as a note under section 4607-6a of this title.

SUBCHAPTER VI—MISCELLANEOUS PROVISIONS

§ 6011. United States Park Police

(a) Appointment of task force

Not later than 60 days after November 13, 1998, the Secretary shall appoint a multidisciplinary task force to fully evaluate the shortfalls, needs, and requirements of law enforcement programs in the National Park Service, including a separate analysis for the United States Park Police, which shall include a review of facility repair, rehabilitation, equipment, and communication needs.

(b) Submission of report

Not later than one year after November 13, 1998, the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the United States Senate and the Committees on Resources and Appropriations of the United States House of Representatives a report that includes—

- (1) the findings and recommendations of the task force;
- (2) complete justifications for any recommendations made; and
- (3) a complete description of any adverse impacts that would occur if any need identified in the report is not met.

(Pub. L. 105-391, title VIII, §801, Nov. 13, 1998, 112 Stat. 3521.)

CHAPTER 80—NEOTROPICAL MIGRATORY BIRD CONSERVATION

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§ 6101. Findings

Congress finds that—

(1) of the nearly 800 bird species known to occur in the United States, approximately 500 migrate among countries, and the large majority of those species, the neotropical migrants, winter in Latin America and the Caribbean;

(2) neotropical migratory bird species provide invaluable environmental, economic, recreational, and aesthetic benefits to the United States, as well as to the Western Hemisphere;

(3)(A) many neotropical migratory bird populations, once considered common, are in decline, and some have declined to the point that their long-term survival in the wild is in jeopardy; and

(B) the primary reason for the decline in the populations of those species is habitat loss and degradation (including pollution and contamination) across the species' range; and

(4)(A) because neotropical migratory birds range across numerous international borders each year, their conservation requires the commitment and effort of all countries along their migration routes; and

(B) although numerous initiatives exist to conserve migratory birds and their habitat, those initiatives can be significantly strengthened and enhanced by increased coordination.

(Pub. L. 106-247, § 2, July 20, 2000, 114 Stat. 593.)

SHORT TITLE

Pub. L. 106-247, § 1, July 20, 2000, 114 Stat. 593, provided that: "This Act [enacting this chapter] may be cited as the 'Neotropical Migratory Bird Conservation Act'."

§ 6102. Purposes

The purposes of this chapter are—

(1) to perpetuate healthy populations of neotropical migratory birds;

(2) to assist in the conservation of neotropical migratory birds by supporting conservation initiatives in the United States, Latin America, and the Caribbean; and

(3) to provide financial resources and to foster international cooperation for those initiatives.

(Pub. L. 106-247, § 3, July 20, 2000, 114 Stat. 593.)

§ 6103. Definitions

In this chapter:

(1) Account

The term "Account" means the Neotropical Migratory Bird Conservation Account established by section 6108(a) of this title.

(2) Conservation

The term "conservation" means the use of methods and procedures necessary to bring a species of neotropical migratory bird to the point at which there are sufficient populations in the wild to ensure the long-term viability of the species, including—

(A) protection and management of neotropical migratory bird populations;

(B) maintenance, management, protection, and restoration of neotropical migratory bird habitat;

(C) research and monitoring;

(D) law enforcement; and

(E) community outreach and education.

(3) Secretary

The term "Secretary" means the Secretary of the Interior.

(Pub. L. 106-247, § 4, July 20, 2000, 114 Stat. 593.)

§ 6104. Financial assistance**(a) In general**

The Secretary shall establish a program to provide financial assistance for projects to promote the conservation of neotropical migratory birds.

(b) Project applicants

A project proposal may be submitted by—

(1) an individual, corporation, partnership, trust, association, or other private entity;

(2) an officer, employee, agent, department, or instrumentality of the Federal Government, of any State, municipality, or political subdivision of a State, or of any foreign government;

(3) a State, municipality, or political subdivision of a State;

(4) any other entity subject to the jurisdiction of the United States or of any foreign country; and

(5) an international organization (as defined in section 288 of title 22).

(c) Project proposals

To be considered for financial assistance for a project under this chapter, an applicant shall submit a project proposal that—

(1) includes—

(A) the name of the individual responsible for the project;

(B) a succinct statement of the purposes of the project;

(C) a description of the qualifications of individuals conducting the project; and

(D) an estimate of the funds and time necessary to complete the project, including sources and amounts of matching funds;

(2) demonstrates that the project will enhance the conservation of neotropical migratory bird species in the United States, Latin America, or the Caribbean;

(3) includes mechanisms to ensure adequate local public participation in project development and implementation;

(4) contains assurances that the project will be implemented in consultation with relevant wildlife management authorities and other appropriate government officials with jurisdiction over the resources addressed by the project;

(5) demonstrates sensitivity to local historic and cultural resources and complies with applicable laws;

(6) describes how the project will promote sustainable, effective, long-term programs to conserve neotropical migratory birds; and

(7) provides any other information that the Secretary considers to be necessary for evaluating the proposal.

(d) Project reporting

Each recipient of assistance for a project under this chapter shall submit to the Secretary such periodic reports as the Secretary considers to be necessary. Each report shall include all information required by the Secretary for evaluating the progress and outcome of the project.

(e) Cost sharing**(1) Federal share**

The Federal share of the cost of each project shall be not greater than 25 percent.

(2) Non-Federal share**(A) Source**

The non-Federal share required to be paid for a project shall not be derived from any Federal grant program.

(B) Form of payment**(i) Projects in the United States**

The non-Federal share required to be paid for a project carried out in the United States shall be paid in cash.

(ii) Projects in foreign countries

The non-Federal share required to be paid for a project carried out in a foreign country may be paid in cash or in kind.

(Pub. L. 106-247, § 5, July 20, 2000, 114 Stat. 594.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6105 of this title.

§ 6105. Duties of the Secretary

In carrying out this chapter, the Secretary shall—

(1) develop guidelines for the solicitation of proposals for projects eligible for financial assistance under section 6104 of this title;

(2) encourage submission of proposals for projects eligible for financial assistance under section 6104 of this title, particularly proposals from relevant wildlife management authorities;

(3) select proposals for financial assistance that satisfy the requirements of section 6104 of this title, giving preference to proposals that address conservation needs not adequately addressed by existing efforts and that are supported by relevant wildlife management authorities; and

(4) generally implement this chapter in accordance with its purposes.

(Pub. L. 106-247, § 6, July 20, 2000, 114 Stat. 595.)

§ 6106. Cooperation**(a) In general**

In carrying out this chapter, the Secretary shall—

(1) support and coordinate existing efforts to conserve neotropical migratory bird species, through—

(A) facilitating meetings among persons involved in such efforts;

(B) promoting the exchange of information among such persons;

(C) developing and entering into agreements with other Federal agencies, foreign,

State, and local governmental agencies, and nongovernmental organizations; and

(D) conducting such other activities as the Secretary considers to be appropriate; and

(2) coordinate activities and projects under this chapter with existing efforts in order to enhance conservation of neotropical migratory bird species.

(b) Advisory group**(1) In general**

To assist in carrying out this chapter, the Secretary may convene an advisory group consisting of individuals representing public and private organizations actively involved in the conservation of neotropical migratory birds.

(2) Public participation**(A) Meetings**

The advisory group shall—

(i) ensure that each meeting of the advisory group is open to the public; and

(ii) provide, at each meeting, an opportunity for interested persons to present oral or written statements concerning items on the agenda.

(B) Notice

The Secretary shall provide to the public timely notice of each meeting of the advisory group.

(C) Minutes

Minutes of each meeting of the advisory group shall be kept by the Secretary and shall be made available to the public.

(3) Exemption from Federal Advisory Committee Act

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the advisory group.

(Pub. L. 106-247, § 7, July 20, 2000, 114 Stat. 595.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (b)(3), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 6107. Report to Congress

Not later than October 1, 2002, the Secretary shall submit to Congress a report on the results and effectiveness of the program carried out under this chapter, including recommendations concerning how the chapter might be improved and whether the program should be continued.

(Pub. L. 106-247, § 8, July 20, 2000, 114 Stat. 596.)

§ 6108. Neotropical Migratory Bird Conservation Account**(a) Establishment**

There is established in the Multinational Species Conservation Fund of the Treasury a separate account to be known as the “Neotropical Migratory Bird Conservation Account”, which shall consist of amounts deposited into the Account by the Secretary of the Treasury under subsection (b) of this section.

(b) Deposits into the Account

The Secretary of the Treasury shall deposit into the Account—

(1) all amounts received by the Secretary in the form of donations under subsection (d) of this section; and

(2) other amounts appropriated to the Account.

(c) Use

(1) In general

Subject to paragraph (2), the Secretary may use amounts in the Account, without further Act of appropriation, to carry out this chapter.

(2) Administrative expenses

Of amounts in the Account available for each fiscal year, the Secretary may expend not more than 3 percent or up to \$80,000, whichever is greater, to pay the administrative expenses necessary to carry out this chapter.

(d) Acceptance and use of donations

The Secretary may accept and use donations to carry out this chapter. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit into the Account.

(Pub. L. 106-247, §9, July 20, 2000, 114 Stat. 596.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 6103 of this title.

§ 6109. Authorization of appropriations

There is authorized to be appropriated to the Account to carry out this chapter \$5,000,000 for each of fiscal years 2001 through 2005, to remain available until expended, of which not less than 75 percent of the amounts made available for each fiscal year shall be expended for projects carried out outside the United States.

(Pub. L. 106-247, §10, July 20, 2000, 114 Stat. 597.)

CHAPTER 81—USER FEES UNDER FOREST SYSTEM RECREATION RESIDENCE PROGRAM

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6207.	Annual adjustment of cabin user fee. <ul style="list-style-type: none"> (a) In general. (b) Initial index. (c) New index. (d) Limitation.
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6210.	Right of appeal and judicial review. <ul style="list-style-type: none"> (a) Right of appeal. (b) Judicial review.
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6213.	Transition provisions. <ul style="list-style-type: none"> (a) Assessment of annual fees. (b) Term. (c) Request for new appraisal under new law. (d) Assumption of new base cabin user fee.

§ 6201. Findings

Congress finds that—

(1) cabins located on forest land have provided a unique recreation experience to a large number of cabin owners, their families, and guests each year since Congress authorized the recreation residence program in 1915; and

(2) the fact that current appraisal procedures have, in certain circumstances, been inconsistently applied in determining fair market values for residential lots demonstrates that problems exist in accurately reflecting market values.

(Pub. L. 106-291, title VI, §602, Oct. 11, 2000, 114 Stat. 1014.)

SHORT TITLE

Pub. L. 106-291, title VI, §601, Oct. 11, 2000, 114 Stat. 1014, provided that: "This title [enacting this chapter] may be cited as the 'Cabin User Fee Fairness Act of 2000'."

§ 6202. Purposes

The purposes of this chapter are—

(1) to ensure, to the maximum extent practicable, that the National Forest System recreation residence program is managed to preserve the opportunity for individual and family-oriented recreation; and

(2) to develop and implement a more consistent procedure for determining cabin user fees, taking into consideration the limitations of an authorization and other relevant market factors.

(Pub. L. 106-291, title VI, §603, Oct. 11, 2000, 114 Stat. 1014.)

§ 6203. Definitions

In this chapter:

(1) Agency

The term "agency" means the Forest Service.

(2) Authorization

The term "authorization" means a special use permit for the use and occupancy of Na-