

information that the Secretary, after consultation with other government officials, determines is necessary to evaluate the progress and success of the project for the purposes of ensuring positive results, assessing problems, and fostering improvements.

(2) Availability to the public

Reports under paragraph (1), and any other documents relating to projects for which financial assistance is provided under this chapter, shall be made available to the public.

(Pub. L. 108-266, § 4, July 2, 2004, 118 Stat. 793.)

§ 6604. Marine Turtle Conservation Fund

(a) Establishment

There is established in the Multinational Species Conservation Fund a separate account to be known as the ‘Marine Turtle Conservation Fund’, consisting of—

(1) amounts transferred to the Secretary of the Treasury for deposit into the Fund under subsection (e);

(2) amounts appropriated to the Fund under section 6605 of this title; and

(3) any interest earned on investment of amounts in the Fund under subsection (c).

(b) Expenditures from Fund

(1) In general

Subject to paragraph (2), on request by the Secretary, the Secretary of the Treasury shall transfer from the Fund to the Secretary, without further appropriation, such amounts as the Secretary determines are necessary to carry out section 6603 of this title.

(2) Administrative expenses

Of the 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.

(c) Investment of amounts

(1) In general

The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary of the Treasury, required to meet current withdrawals. Investments may be made only in interest-bearing obligations of the United States.

(2) Acquisition of obligations

For the purpose of investments under paragraph (1), obligations may be acquired—

(A) on original issue at the issue price; or

(B) by purchase of outstanding obligations at the market price.

(3) Sale of obligations

Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) Credits to Fund

The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(d) Transfers of amounts

(1) In general

The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(2) Adjustments

Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(e) Acceptance and use of donations

The Secretary may accept and use donations to provide assistance under section 6603 of this title. Amounts received by the Secretary in the form of donations shall be transferred to the Secretary of the Treasury for deposit in the Fund.

(Pub. L. 108-266, § 5, July 2, 2004, 118 Stat. 794.)

§ 6605. Advisory group

(a) 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 marine turtles.

(b) Public participation

(1) Meetings

The Advisory Group shall—

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

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

(2) Notice

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

(3) Minutes

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

(c) 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. 108-266, § 6, July 2, 2004, 118 Stat. 795.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (c), 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.

§ 6606. Authorization of appropriations

There is authorized to be appropriated to the Fund \$5,000,000 for each of fiscal years 2005 through 2009.

(Pub. L. 108-266, § 7, July 2, 2004, 118 Stat. 795.)

§ 6607. Report to Congress

Not later than October 1, 2005, the Secretary shall submit to the Congress a report on the re-

sults and effectiveness of the program carried out under this chapter, including recommendations concerning how this chapter might be improved and whether the Fund should be continued in the future.

(Pub. L. 108-266, § 8, July 2, 2004, 118 Stat. 796.)

CHAPTER 86—SOUTHWEST FOREST HEALTH AND WILDFIRE PREVENTION

Sec.	
6701.	Findings.
6702.	Purposes.
6703.	Definitions.
6704.	Establishment of Institutes.
6705.	Cooperation between Institutes and Federal agencies.
6706.	Monitoring and evaluation.
6707.	Authorization of appropriations.

§ 6701. Findings

Congress finds that—

(1) there is an increasing threat of wildfire to millions of acres of forest land and rangeland throughout the United States;

(2) forest land and rangeland are degraded as a direct consequence of land management practices, including practices to control and prevent wildfires and the failure to harvest subdominant trees from overstocked stands that disrupt the occurrence of frequent low-intensity fires that have periodically removed flammable undergrowth;

(3) at least 39,000,000 acres of land of the National Forest System in the interior West are at high risk of wildfire;

(4) an average of 95 percent of the expenditures by the Forest Service for wildfire suppression during fiscal years 1990 through 1994 were made to suppress wildfires in the interior West;

(5) the number, size, and severity of wildfires in the interior West are increasing;

(6) of the timberland in National Forests in the States of Arizona and New Mexico, 59 percent of such land in Arizona, and 56 percent of such land in New Mexico, has an average diameter of 9 to 12 inches diameter at breast height;

(7) the population of the interior West grew twice as fast as the national average during the 1990s;

(8) catastrophic wildfires—

- (A) endanger homes and communities;
- (B) damage and destroy watersheds and soils; and
- (C) pose a serious threat to the habitat of threatened and endangered species;

(9) a 1994 assessment of forest health in the interior West estimated that only a 15- to 30-year window of opportunity exists for effective management intervention before damage from uncontrollable wildfire becomes widespread, with 8 years having already elapsed since the assessment;

(10) healthy forest and woodland ecosystems—

- (A) reduce the risk of wildfire to forests and communities;
- (B) improve wildlife habitat and biodiversity;

(C) increase tree, grass, forb, and shrub productivity;

(D) enhance watershed values;

(E) improve the environment; and

(F) provide a basis in some areas for economically and environmentally sustainable uses;

(11) sustaining the long-term ecological and economic health of interior West forests and woodland, and their associated human communities requires preventing severe wildfires before the wildfires occur and permitting natural, low-intensity ground fires;

(12) more natural fire regimes cannot be accomplished without the reduction of excess fuels and thinning of subdominant trees (which fuels and trees may be of commercial value);

(13) ecologically based forest and woodland ecosystem restoration on a landscape scale will—

(A) improve long-term community protection;

(B) minimize the need for wildfire suppression;

(C) improve resource values;

(D) improve the ecological integrity and resilience of these systems;

(E) reduce rehabilitation costs;

(F) reduce loss of critical habitat; and

(G) protect forests for future generations;

(14) although landscape scale restoration is needed to effectively reverse degradation, scientific understanding of landscape scale treatments is limited;

(15) rigorous, objective, understandable, and applied scientific information is needed for—

(A) the design, implementation, monitoring, and adaptation of landscape scale restoration treatments and improvement of wildfire management;

(B) the environmental review process; and

(C) affected entities that collaborate in the development and implementation of wildfire treatment.

(Pub. L. 108-317, § 2, Oct. 5, 2004, 118 Stat. 1204.)

SHORT TITLE

Pub. L. 108-317, § 1, Oct. 5, 2004, 118 Stat. 1204, provided that: "This Act [enacting this chapter] may be cited as the 'Southwest Forest Health and Wildfire Prevention Act of 2004'."

§ 6702. Purposes

The purposes of this chapter are—

(1) to enhance the capacity to develop, transfer, apply, monitor, and regularly update practical science-based forest restoration treatments that will reduce the risk of severe wildfires, and improve the health of dry forest and woodland ecosystems in the interior West;

(2) to synthesize and adapt scientific findings from conventional research programs to the implementation of forest and woodland restoration on a landscape scale;

(3) to facilitate the transfer of interdisciplinary knowledge required to understand the socioeconomic and environmental impacts of wildfire on ecosystems and landscapes;

(4) to require the Institutes established under this chapter to collaborate with Federal agencies—