

104TH CONGRESS
2D SESSION

H. R. 2943

To provide for the collection of fossils on Federal lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 1996

Mr. JOHNSON of South Dakota (for himself and Mr. SKEEN) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the collection of fossils on Federal lands,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fossil Preservation
5 Act of 1996”.

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

7 (a) FINDINGS.—Congress finds that—

1 (1) paleontology, as distinct from archaeology,
2 is the study of prehistoric, nonhuman life and is
3 most closely allied with geology and biology;

4 (2) the science of paleontology is best served by
5 unimpeded access to fossils and fossil-bearing rocks
6 in the field;

7 (3) fossils have scientific, educational, and com-
8 mercial value;

9 (4) fossils are accessible on Federal lands, but
10 the few Federal laws or regulations in existence on
11 the date of enactment of this Act do not provide for
12 uniform regulations for their collection;

13 (5) access to fossils on Federal lands should be
14 provided to research scientists, educators, amateur
15 collectors, and commercial entities under proper
16 guidelines, but collecting decreases the benefit of
17 Federal lands for the people of the United States if
18 the collecting—

19 (A) separates scientifically unique fossils
20 from their geological and paleontological con-
21 texts,

22 (B) removes scientifically unique fossils
23 from the realm of public education or scientific
24 study, or

1 (C) interferes with ongoing excavation by
2 researchers engaged in permitted studies or ex-
3 cavations.

4 (6) scientifically unique fossils, as determined
5 by the Council, must be deposited in institutions
6 where there are established research, educational,
7 and training programs in paleontology.

8 (b) PURPOSES.—The purposes of this Act are—

9 (1) to secure, for the present and future benefit
10 of the people of the United States, the protection,
11 including collection and preservation, of fossils that
12 are on Federal lands;

13 (2) to provide a uniform national policy on fos-
14 sil collecting on Federal lands that—

15 (A) enables research scientists, educators,
16 amateur collectors, and commercial entities to
17 collect fossils on Federal lands; and

18 (B) facilitates scientific research and edu-
19 cation in paleontology;

20 (3) encourages the collection and preservation
21 of fossils from Federal lands in order to reduce the
22 loss of fossils resulting from erosion and theft; and

23 (4) encourages the identification, preservation
24 and study of scientifically unique paleontological
25 specimens and sites on Federal lands in order to in-

1 crease our understanding of the history of life on
2 earth.

3 **SEC. 3. DEFINITIONS.**

4 For the purposes of this Act:

5 (1) FEDERAL LANDS.—(A) The term “Federal
6 lands” means the lands, other than wilderness, ad-
7 ministered by the Bureau of Land Management, the
8 Forest Service, the United States Fish and Wildlife
9 Service, the Bureau of Reclamation, and the United
10 States Army Corps of Engineers.

11 (B) Such term does not include lands held in
12 trust for the benefit of an Indian tribe or individual
13 or held by an Indian tribe or individual subject to
14 a restriction by the United States against alienation,
15 lands administered by the National Park Service,
16 lands designated by an Act of Congress as wilder-
17 ness, and any other Federal lands not specifically in-
18 cluded by subparagraph (A).

19 (2) FEDERAL LAND MANAGER.—The term
20 “Federal land manager” means the Secretary of the
21 department or head of the agency or instrumentality
22 of the United States.

23 (3) FOSSIL.—The term “fossil” means any nat-
24 urally occurring remains or trace of plant or animal
25 life that—

1 (A) lived prior to the Holocene epoch; and

2 (B) is not associated with an archaeologi-
3 cal resource or a cave resource.

4 (4) **ARCHAEOLOGICAL RESOURCE.**—The term
5 “archaeological resource” has the meaning given
6 such term in section 3(1) of the Archaeological Re-
7 sources Protection Act of 1979 (16 U.S.C.
8 470bb(1)).

9 (5) **CAVE RESOURCE.**—The term “cave re-
10 source” has the meaning given such term in section
11 3(5) of the Federal Cave Resources Protection Act
12 (16 U.S.C. 4302(5)).

13 (6) **COUNCIL.**—The term “Council” means the
14 National Fossil Council established by section 9.

15 (7) **DIRECTOR.**—The term “Director” means
16 the Director of the United States Geological Survey.

17 (8) **SUITABLE PALEONTOLOGICAL INSTITU-**
18 **TION.**—An institution is a suitable paleontological
19 institution if the institution is a nonprofit public or
20 private organization, including a college, university,
21 Federal or State repository, or museum—

22 (A) with a research, educational, or curato-
23 rial program in paleontology; and

1 (B) with open access to appropriate
2 records for the specimens collected under these
3 permits for research and education.

4 **SEC. 4. MANAGEMENT OF FOSSILS ON FEDERAL LANDS.**

5 (a) FEDERAL LANDS OPEN TO FOSSIL COLLECT-
6 ING.—Except as otherwise provided in this section, all
7 Federal lands shall be open to fossil collecting, as follows:
8 all Federal lands shall be open to fossil collecting by recon-
9 naissance without a permit, except for those lands des-
10 ignated as requiring such a permit pursuant to subsection
11 (c)(1)(B), and all Federal lands shall be open to fossil col-
12 lecting by quarrying pursuant to a permit.

13 (b) DUTY TO MANAGE SEPARATELY FROM ARCHAE-
14 OLOGICAL RESOURCE.—Each Federal land manager, in
15 consultation with the Council, shall manage fossils sepa-
16 rately from archaeological resources, cave resources, and
17 cultural resources, but in conjunction with the natural re-
18 sources within the jurisdiction of the Federal land man-
19 ager.

20 (c) TYPES OF COLLECTING AND WHETHER NOTICE
21 OR A PERMIT IS REQUIRED.—Collecting fossils from Fed-
22 eral lands shall be conducted in accordance with the fol-
23 lowing:

24 (1) RECONNAISSANCE.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraphs (B) and (C), collecting fossils
3 from the surface is not subject to advance no-
4 tice to a Federal land manager or the issuance
5 of a permit. Such collecting is reconnaissance
6 collecting and—

7 (i) results in surface disturbance of
8 less than two square meters of the earth;

9 (ii) involves picking up loose speci-
10 mens on weathered rock surfaces;

11 (iii) may involve the use of simple
12 hand tools (such as hammers, chisels, pry
13 bars, and rakes);

14 (iv) does not involve the use of power
15 tools, explosives, or mechanized equipment
16 of any kind; and

17 (v) does not pose potential for signifi-
18 cant disturbance of sites of ongoing sci-
19 entific research and other important re-
20 sources, including endangered species, cul-
21 tural resources, archaeological resources,
22 cave resources, wilderness, or areas of crit-
23 ical environmental concern.

24 (B) EXCEPTION.—A permit is required for
25 reconnaissance collecting from those Federal

1 lands under the jurisdiction of the Federal land
2 manager which the Federal land manager may
3 designate in accordance with the guidelines de-
4 veloped by the Council under section 9. The
5 Federal land manager shall publish in the Fed-
6 eral Register notice of each area for which a
7 permit is required for reconnaissance collecting
8 and shall post in each such area appropriate
9 notice of reconnaissance collecting permit re-
10 quirements.

11 (C) NOTICE BY GROUPS.—Advance notice
12 of not less than seven days is required for re-
13 connaissance collecting by groups comprised of
14 more than 10 persons.

15 (2) QUARRYING.—Fossil collection by quarrying
16 means the collection of fossils by means other than
17 reconnaissance collecting. Collecting fossils through
18 quarrying may only be conducted pursuant to a per-
19 mit and advance notice.

20 (d) DETERMINATION OF SCIENTIFICALLY UNIQUE.—
21 The Federal land manager, in consultation with the Chair
22 of the Council, shall determine whether a fossil is scientif-
23 ically unique in accordance with regulations promulgated
24 under section 10, except with respect to commercial per-

1 mits. In the case of a commercial permit, the determina-
2 tion of scientifically unique shall be made by the Council.

3 (e) APPEALS.—

4 (1) AGENCY PROCESS.—Except as provided by
5 paragraph (2), administrative appeals of a Federal
6 land manager’s decision under this Act shall be
7 made in accordance with the appeals process, if any,
8 established by the agency concerned.

9 (2) COUNCIL.—An appeal of a Federal land
10 manager’s decision under this subsection (d) may be
11 made to the Council in accordance with regulations
12 promulgated under section 10.

13 **SEC. 5. PERMITS.**

14 (a) GENERAL AUTHORITY.—

15 (1) ISSUANCE.—The Federal land manager
16 shall issue permits under such terms and conditions
17 as the Federal land manager may impose—

18 (A) for reconnaissance collecting under
19 section 4(c)(1) from those lands which the Fed-
20 eral land manager designates in accordance
21 with the guidelines developed by the Council
22 under section 9; and

23 (B) for the discovery, quarrying, and re-
24 moval of fossils under section 4(c)(2) that are
25 located on lands under the jurisdiction of the

1 Federal land manager, including activity associ-
2 ated with such quarrying.

3 (2) LIMITATION.—Commercial permits may not
4 be issued under this section for the quarrying or re-
5 moval of a scientifically unique find, as determined
6 by the Council.

7 (3) PERIOD TO CONSIDER APPLICATION.—Per-
8 mits shall be issued or denied within a reasonable
9 time, but no later than 90 days after a permit appli-
10 cation is received, unless extended by written notice
11 of the Federal land manager to allow compliance
12 with this Act.

13 (4) CONTENTS OF PERMIT APPLICATION.—An
14 application for a permit under this section shall con-
15 tain—

16 (A) a general description of the area in
17 which collecting activity is to occur and, when
18 applicable, the purpose of the proposed quarry;

19 (B) the beginning and ending dates of
20 work and list of tools for the proposed activity;

21 (C) the identity and qualifications of the
22 individuals responsible for carrying out the
23 terms and conditions of the permit;

24 (D) in the case that the permit is for col-
25 lecting fossils for educational purposes, the

1 agreement of the applicant to the conditions
2 specified in subsection (b);

3 (E) in the case that the permit is for col-
4 lecting fossils for scientific purposes, the agree-
5 ment of the applicant to the conditions specified
6 in subsection (c);

7 (F) in the case that the permit is for col-
8 lecting fossils for sale, barter, or exchange, the
9 agreement of the applicant to the conditions
10 specified in subsection (d); and

11 (G) the applicant submits in writing quali-
12 fications and relevant proof of experience that
13 are in compliance with the guidelines estab-
14 lished by the Federal land manager and are ap-
15 propriate for the type of permit applied for.

16 (b) EDUCATIONAL COLLECTING PERMITS.—A permit
17 for collecting fossils from Federal lands for educational
18 purposes shall be issued pursuant to an application under
19 subsection (a) if—

20 (1) the applicant agrees to deposit all scientif-
21 ically unique fossils, records, and data associated
22 with such collecting in a suitable paleontological in-
23 stitution and to carry out the permitted activity pri-
24 marily for the purpose of public education;

1 (2) the applicant has a letter of agreement from
2 a suitable paleontological institution; and

3 (3) the Federal land manager determines that
4 the activity is consistent with any management plan
5 applicable to the Federal lands concerned.

6 (c) SCIENTIFIC COLLECTING PERMITS.—A permit
7 for collecting fossils from Federal lands for scientific pur-
8 poses shall be issued pursuant to an application under
9 subsection (a) if—

10 (1) the applicant agrees to deposit all scientif-
11 ically unique fossils, records, and data associated
12 with such collecting in a suitable paleontological in-
13 stitution and to carry out the permitted activity pri-
14 marily for the purpose of scientific research, public
15 education, or public display;

16 (2) the applicant has a letter of agreement from
17 a suitable paleontological institution; and

18 (3) the Federal land manager determines that
19 the activity is consistent with any management plan
20 applicable to the Federal lands concerned.

21 (d) COMMERCIAL COLLECTING PERMITS.—A permit
22 for collecting fossils from Federal lands for sale, barter,
23 or exchange shall be issued pursuant to an application
24 under subsection (a) if—

25 (1) the applicant agrees—

1 (A) that the fossils to be extracted are for
2 a commercial purpose;

3 (B) to pay fees established in accordance
4 with section 6;

5 (C) to deposit the paleontological records
6 and data associated with the commercial quar-
7 rying with the United States Geological Survey;

8 (D) to report any unanticipated discoveries
9 made under the commercial permit to the agen-
10 cy issuing the permit and that scientifically
11 unique finds will be property of the United
12 States and will be deposited in a suitable pale-
13 ontological institution; and

14 (E) to file a final report with the permit
15 granting agency describing all quarried mate-
16 rials;

17 (2) the Federal land manager determines that
18 the activity is consistent with any management plan
19 applicable to the Federal lands concerned; and

20 (3) the permit application has been reviewed by
21 the Federal land manager in consultation with the
22 Chair of the Council.

23 (e) SUSPENSION AND REVOCATION OF PERMITS.—

24 (1) SUSPENSION.—The Federal land manager
25 may suspend a permit issued under this section if

1 the Federal land manager determines that the hold-
2 er of the permit has intentionally violated any of the
3 terms of the permit or intentionally engaged in an
4 act for which a civil penalty may be imposed under
5 section 8.

6 (2) REVOCATION.—The Federal land manager
7 may revoke a permit issued under this section if the
8 holder of the permit is assessed a civil penalty under
9 section 8.

10 (3) PROTECTION OF RIGHTS.—Before suspend-
11 ing a permit under paragraph (1) or revoking a per-
12 mit under paragraph (2), the Federal land manager
13 shall provide the permittee with notice and an oppor-
14 tunity for a hearing on the record in accordance
15 with section 554 of title 5, United States Code.

16 (f) PERMITS ISSUED UNDER ANTIQUITIES ACT OF
17 1906.—

18 (1) NEW PERMITS.—No permit or other per-
19 mission shall be required under the Act entitled “An
20 Act for the Preservation of American Antiquities”,
21 approved June 8, 1906 (16 U.S.C. 431 et seq.), for
22 any activity for which a permit is issued under this
23 section.

24 (2) PREVIOUS PERMITS.—Any permit issued
25 under such Act prior to the date of enactment of

1 this Act shall remain in effect according to the
2 terms and conditions of the permit. No permit under
3 this Act shall be required to carry out any activity
4 under a permit issued under such Act prior to the
5 date of enactment of this Act. Nothing in this Act
6 shall be construed to modify or affect a permit is-
7 sued under such Act prior to the date of enactment
8 of this Act.

9 **SEC. 6. FEES AND ROYALTIES FOR COMMERCIAL COLLECT-**
10 **ING.**

11 (a) **GENERAL AUTHORITY.**—The Federal land man-
12 ager shall establish and collect fees relating to the com-
13 mercial collection of fossils subject to this Act. The fee
14 shall be determined by the Secretary on a permit-by-per-
15 mit basis and shall be sufficient to cover the cost to the
16 Secretary of issuing a permit under section 5 and shall
17 be based on the amount of surface disturbance which oc-
18 curs under the permit and the location of the collection
19 activity.

20 (b) **ROYALTY.**—A permit for commercial collecting
21 shall require payment of a royalty on the fair market value
22 of each fossil removed under the permit. The amount of
23 the royalty shall be determined by the Council as a per-
24 centage of the value of the fossil on the basis of what a

1 willing buyer would pay a willing seller in an arms length
2 transaction.

3 (c) USE OF AMOUNTS COLLECTED.—Amounts col-
4 lected by a Federal land manager under this section shall
5 be retained by the Federal land manager and used without
6 further appropriation in the area with respect to which
7 the amount was generated for the purpose of carrying out
8 the paleontological program of the Federal land manager.

9 **SEC. 7. OWNERSHIP AND CUSTODY OF FOSSILS.**

10 (a) IN GENERAL.—Except as provided by subsection
11 (b), fossils collected pursuant to this Act are the property
12 of the collector—

13 (1) without restriction if collected under the
14 provisions of this Act where no permit is required;
15 and

16 (2) are subject to the terms and conditions
17 agreed to by the collector in connection with the is-
18 suance of a permit under this Act if collected pursu-
19 ant to the permit.

20 (b) EXCEPTION.—Fossils collected pursuant to a
21 commercial collecting permit under section 5(c) which are
22 scientifically unique, as determined by the Council, are the
23 property of the United States and shall be placed into cus-
24 tody with the Director of the United States Geological
25 Survey. This paragraph applies with respect to a fossil re-

1 regardless of when the determination of scientifically unique
2 is made.

3 (c) AUTHORITY OF UNITED STATES TO DISPOSE OF
4 FOSSILS.—The Director of the United States Geological
5 Survey may sell, exchange, loan, or donate any fossil
6 placed into the custody of the Director under subsection
7 (b).

8 (d) MODIFICATION OR REMOVAL OF RESTRIC-
9 TIONS.—

10 (1) APPLICATION TO COUNCIL.—The collector
11 of a fossil pursuant to a permit issued under this
12 Act may apply to the Council for the modification or
13 removal of restrictions relating to fossils collected
14 under this Act.

15 (2) STANDARD.—The Council may modify or
16 remove the restrictions, as the Council determines
17 appropriate, if the Council determines that such
18 modification or removal is necessary to better
19 achieve an educational or scientific purpose of the
20 collector.

21 **SEC. 8. CIVIL PENALTIES.**

22 (a) AUTHORITY.—The Federal land manager may as-
23 sess a civil penalty of more than \$1,000 but not more than
24 \$100,000 against any person who—

1 (1) willfully violates any provision of this Act,
2 permit issued under this Act, or rule or regulation
3 promulgated by the Federal land manager pursuant
4 to this Act, including quarrying, removing, damag-
5 ing, or otherwise altering or defacing, or attempting
6 to quarry, remove, damage, or otherwise alter or de-
7 face, a fossil located on Federal land in violation of
8 this Act or a permit issued under this Act;

9 (2) knowingly sells, purchases, exchanges,
10 transports, receives, or offers to sell, purchase, or
11 exchange a fossil if the fossil was quarried or re-
12 moved from Federal lands in violation of paragraph
13 (1) or in violation of a law, ordinance, or permit in
14 effect under any other provision of Federal law;

15 (3) submits false, inaccurate, or misleading in-
16 formation on any application for a permit issued
17 pursuant to this Act; or

18 (4) fails to make or file any report required by
19 this Act.

20 (b) MITIGATION OF PENALTY.—The Secretary may
21 compromise, modify, or remit, with or without conditions,
22 any civil penalty which may be imposed under this sub-
23 section.

24 (c) INTEREST.—

1 (1) DATE ACCRUAL BEGINS.—Interest shall ac-
2 cruce on a civil penalty imposed under this section on
3 the later of—

4 (A) the date on which the order of the
5 Federal land manager becomes final, unless an
6 action for judicial review is brought in accord-
7 ance with chapters 5 and 7 of title 5, United
8 States Code; and

9 (B) the date on which a final judgment is
10 entered pursuant to an action referred to in
11 subparagraph (A).

12 (2) RATE.—Interest for a period under para-
13 graph (1) shall be at the rates specified for under-
14 payments under section 6621 of the Internal Reve-
15 nue Code of 1986.

16 **SEC. 9. NATIONAL FOSSIL COUNCIL.**

17 (a) ESTABLISHMENT.—The Director of the United
18 States Geological Survey shall establish a council to be
19 known as the “National Fossil Council”.

20 (b) DUTIES.—The Council—

21 (1) during the six-month period beginning on
22 the date of the appointment of the initial members
23 under subsection (c)(2)—

24 (A) shall develop guidelines and param-
25 eters for determining “scientifically unique”;

1 (B) shall develop procedures for identifying
2 specimens as scientifically unique, including
3 procedures for cases in which the determination
4 is made during the collection process or after
5 the removal of the specimen from Federal
6 lands;

7 (C) shall develop a procedure for advising
8 the Federal land manager on scientifically
9 unique fossils upon request of the Federal land
10 manager;

11 (D) shall develop guidelines for the Federal
12 land manager to determine which lands to close
13 for reconnaissance collecting;

14 (E) shall develop procedures for processing
15 appeals of a Federal land manager's decisions
16 with respect to the determination of scientif-
17 ically unique;

18 (F) shall develop guidelines for the mini-
19 mum acceptable qualifications of collectors for
20 each type of permit under section 5;

21 (G) shall establish the royalty rate re-
22 quired by section 6; and

23 (H) may define or provide guidelines for
24 determining which groups may engage in col-

1 lecting for educational purposes without a per-
2 mit under section 5(b)(2);

3 (2) provide advice to the Federal land managers
4 in carrying out this Act;

5 (3) review permit applications rejected pursuant
6 to section 4(d) on the basis of scientifically unique
7 fossils;

8 (4) review the procedures by which this Act is
9 enforced to ensure uniformity of regulation consist-
10 ent with this Act among Federal land management
11 agencies; and

12 (5) carry out the other duties required by this
13 Act.

14 (c) MEMBERSHIP.—

15 (1) IN GENERAL.—The Council shall be com-
16 posed of seven members, as follows:

17 (A) The Director of the Geological Survey
18 (or designee), ex officio, who shall serve as the
19 chair of the Council.

20 (B) One individual appointed by the Direc-
21 tor, after considering recommendations made by
22 the United States National Museum.

23 (C) One individual appointed by the Direc-
24 tor, after considering recommendations made by
25 the Society of Vertebrate Paleontology.

1 (D) One individual appointed by the Direc-
2 tor, after considering recommendations made by
3 the Paleontological Society.

4 (E) One individual who shall be represent-
5 ative of the Federal land managers, appointed
6 by the Director after considering recommenda-
7 tions made by the Secretary of the Interior and
8 the Secretary of Agriculture.

9 (F) One individual appointed by the Direc-
10 tor, after considering recommendations made by
11 the American Association of Paleontological
12 Suppliers.

13 (G) One individual appointed by the Direc-
14 tor, after considering recommendations made by
15 the Mid America Paleontological Societies and
16 the American Federation of Mineralogical Soci-
17 eties.

18 (2) INITIAL APPOINTMENTS.—The Director
19 shall make the appointments of the initial members
20 within 60 days after the date of enactment of this
21 Act.

22 (d) TERMS.—

23 (1) IN GENERAL.—Each member appointed
24 under subsection (c) shall be appointed for a term

1 of five years, except as provided in paragraphs (2)
2 and (3).

3 (2) TERMS OF INITIAL APPOINTEES.—As des-
4 ignated by the Director at the time of appointment,
5 of the members first appointed—

6 (A) two shall be appointed for terms of
7 three years; and

8 (B) two shall be appointed for terms of
9 four years.

10 (3) VACANCIES.—Any member appointed to fill
11 a vacancy occurring before the expiration of the
12 term for which the member's predecessor was ap-
13 pointed shall be appointed only for the remainder of
14 that term. A member may serve after the expiration
15 of that member's term until a successor has taken
16 office. A vacancy in the Council shall be filled in the
17 manner in which the original appointment was
18 made.

19 (e) BASIC PAY.—Members shall serve without pay,
20 and members who are full-time officers or employees of
21 the United States may not receive additional pay, allow-
22 ances, or benefits by reason of their service on the Council.

23 (f) QUORUM AND VOTE REQUIRED.—

24 (1) IN GENERAL.—Five members of the Council
25 shall constitute a quorum but a lesser number may

1 hold hearings. Except as provided by paragraph (2),
2 actions may be taken upon affirmative vote by a ma-
3 jority decision, a quorum being present.

4 (2) DESIGNATION OF SCIENTIFICALLY
5 UNIQUE.—(A) Designating a fossil as scientifically
6 unique in connection with a commercial permit re-
7 quires an affirmative vote of five members of the
8 Council.

9 (B) In an appeal of a decision of a Federal land
10 manager under section 4(d)(2), an affirmative vote
11 of five members of the Council is required to modify
12 or reverse the decision.

13 (g) MEETINGS.—The Council shall meet at the call
14 of the Chair or as otherwise provided by this section.

15 (h) STAFF OF FEDERAL AGENCIES.—Upon request
16 of the Chair, the head of any Federal department or agen-
17 cy may detail, on a reimbursable basis, any of the person-
18 nel of that department or agency to the Council to assist
19 it in carrying out its duties under this Act.

20 (i) MAILS.—The Council may use the United States
21 mails in the same manner and under the same conditions
22 as other departments and agencies of the United States.

23 **SEC. 10. REGULATIONS.**

24 (a) GENERAL REGULATIONS.—

1 (1) ISSUANCE.—Not later than one year after
2 the date of the enactment of this Act, the Secretary
3 of the Interior, the Secretary of Agriculture, and the
4 Secretary of the Army, after consultation with other
5 Federal land managers and representatives of con-
6 cerned State agencies, after review and comment by
7 the Council, and after public notice and hearings,
8 shall each issue as soon as practicable, such regula-
9 tions as are appropriate to carry out this Act. Such
10 regulations shall be as uniform as possible and
11 where not possible, shall include a list of all in-
12 stances in which such regulations are not uniform
13 and the reasons therefor.

14 (2) SUBMISSION TO CONGRESS.—The regula-
15 tions issued under this Act shall be submitted to the
16 Committee on Resources of the House of Represent-
17 atives and the Committee on Energy and Natural
18 Resources of the Senate and may not take effect be-
19 fore the expiration of the 90-day period following
20 the date of submission.

21 (b) LAND MANAGEMENT PLANS.—Each Federal land
22 manager shall amend management plans as necessary to
23 conform to this Act and the regulations issued under sub-
24 section (a).

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