

## AUTHORITIES FACILITATING INTERNATIONAL PARTNERSHIPS

The Department of the Interior may conduct international activities under the authority of Federal laws and treaties that apply to all Federal agency international activities. Many of these general authorities are set forth in the following list. Where delegation of authority has been reserved to the Secretary, no Bureau may utilize such authority without an express delegation of that specific authority to the Bureau. However, Bureaus may have the authority to participate in scientific and technical exchanges and other cooperative projects with other countries, provided that such activities directly serve the Bureaus' domestic missions or are authorized under specific statutory mandates (some of which are included in the agency-specific portions of this Part). The Office of Policy Analysis, International Affairs, and the Solicitor's Office can help the agency determine the application of, and the most appropriate way to use, these authorities to accomplish its partnership goals. Consultation early in the initial partnership planning and discussion stages will help facilitate effective, and legally supportable, achievement of those goals.

- 1. Furnishing of Services and Commodities to Other Nations, Use of Foreign Currencies, Detailing and Assignment of Personnel, USAID Payment to US Agencies, Reimbursable Funding (22 U.S.C. §2357, Pub. L. No.87-195):** Section 2357 (section 607a) of the Foreign Assistance Act authorizes any U.S. agency, upon approval of the Agency for International Development (USAID), to furnish services to friendly countries, international organizations, and voluntary organizations, on an advance of funds or reimbursable basis. This allows agencies to contract with non-U.S. Government officials to perform such services. Upon approval of USAID, various sections of that Act authorize the use of excess foreign currency to carry out U.S. operations abroad; the assignment of U.S. Government employees to perform functions outside the U.S.; the detail of any agency employee to a position in a foreign government; the assignment of government employees to any international organization to render technical, scientific or professional advice; USAID payment to any U.S. agency to carry out assistance to a foreign country or international organization for procurement of commodities or services; and reimbursable funding by the Trade and Development Program to U.S. agencies to promote U.S. exports for major development projects in friendly countries.
- 2. International Participation in Scientific, Technical, and Cultural Activities (22 U.S.C. §§2452-2460):** Sections of the State Department's Mutual Education and Cultural Exchange Program authorize U.S. representation at international non-governmental scientific and technical meetings, permit U.S. Government agencies to accept foreign nationals for training or other meetings in and out of the U.S.; permit interchanges with other countries of scientists and experts in environmental science and management with approval of the State Department; encourage contributions of funds by foreign governments, international organizations and private individuals and organizations; authorize government agencies and employees to accept funds from foreign governments for activities determined by the State Department to be in the interest of the U.S.; and

authorize the State Department to offer grants and contracts for transportation and subsistence for educational and/or cultural exchanges.

- [2a] **Collection, Evaluation and Analysis of Information Concerning Mineral Occurrence, Production, and Use (30 U.S.C. §§ 1601-1604):** These provisions emphasize the USGS's responsibility to assess the mineral resources of the Nation. The provisions also require the President to coordinate departments' and agencies' promotion of cooperative research and development programs with other nations for the equitable and frugal use of materials and energy; promotion and encouragement of private enterprise in the development of economically sound and stable domestic materials industries; and facilitation of the availability and development of domestic resources to meet critical materials needs.
- [2b] **Authority to Enter Into Cooperative Agreements Promoting the National Underground Railroad Network to Freedom (16 U.S.C. § 4691-1(c)):** To ensure effective coordination between Federal and non-federal elements of the underground railroad network the Secretary may enter into cooperative agreements and memoranda of understanding with, and provide technical assistance to (1) the heads of other Federal agencies, States, localities, regional governmental bodies, and private entities; and (2) in cooperation with the Secretary of State, the governments of Canada, Mexico, and any appropriate country in the Caribbean.
3. **International Environmental Cooperation (42 U.S.C. §4332(2)(F)):** The National Environmental Policy Act authorizes Federal agencies to lend appropriate support to programs that maximize international cooperation in preventing a decline in the quality of the world environment, when consistent with U.S. foreign policy.
4. **Assignment of Government Employees to Requesting Countries, Use of Facilities and Personnel of Other Governments, and Provision of Technical and Other Services to Foreign Governments (22 U.S.C. §§1451, 1456 and 1457):** The United States Information and Educational Exchange Act authorizes the State Department to assign for service, at a foreign government's request, U.S. Government employees who have special scientific and technical qualifications; the State Department to use services, facilities and personnel of other government agencies on a reimbursable basis; and a government agency to perform technical or other services for the government of another country upon terms satisfactory to the USIA and the head of the government agency.
5. **Detail of Personnel to International Organizations (5 U.S.C. §3343, Pub. L. No.85-795):** The Federal Employees International Organization Service Act authorizes the head of an agency to detail an employee to an international organization. Details may be made without reimbursement or may be paid or reimbursed by an international organization for expense incurred.

6. **Gifts and Decorations from Foreign Governments (5 U.S.C. §7342, Pub. L. No.95-105):** The Foreign Gifts and Decorations Act permits a US government official to accept transportation, subsistence, and/or lodging from a foreign government or international organization if such acceptance is appropriate and consistent with the interests of the U.S. This limited gift acceptance authority does not permit acceptance of travel expenses to or from the United States. Approval of this gift acceptance must be made by the Assistant Secretary - Policy, Management and Budget as in the best interests of the Department.
7. **Acceptance of Payment from other Federal Agencies (31 U.S.C. §1535, Pub. L. No.97-258):** The Economy Act authorizes U.S. Government agencies to place an order for goods or services with another agency.
8. **Acceptance of Payment from a Non-Federal Source (31 U.S.C. §1353):** This law authorizes a Federal Agency to accept funds from a foreign government, international or multinational organization for meetings, training or similar functions.
9. **Migratory Bird Work in Mexico and Canada (16 U.S.C. §§4401-4412):** The North American Wetlands Conservation Act authorizes migratory bird work in Mexico and Canada and provides funding and administrative direction for implementation of the North American Waterfowl Management Plan and the Tripartite Agreement on wetlands between Canada, the U.S. and Mexico.
10. **Cooperation and Partnership with Other Nations (16 U.S.C. §470-1-2):** The National Historic Preservation Act includes specific reference to international conservation treaties such as the World Heritage Convention and establishes a policy of cooperation and partnership with other nations, as well as with domestic entities.
11. **International Cooperation for the Conservation of Fish or Wildlife and Plants Including Endangered Species and Threatened Species (16 U.S.C. §§1531-1538):** Among its purposes, the Endangered Species Act is intended to conserve the ecosystems upon which endangered and threatened species depend, and to conserve and recover listed species, pursuant to numerous international treaties. Section 1537 encourages international cooperation for the conservation of fish or wildlife and plants including endangered species and threatened species and provides for the entering into of bilateral or multilateral agreements with foreign countries to provide for such conservation. That section also authorizes the Secretary of Interior, after consultation with the Secretary of State, to (1) assign or otherwise make available any officer or employee of his or her department for the purpose of cooperating with foreign countries and international organizations in developing personnel resources and programs which promote the conservation of fish or wildlife or plants, and (2) conduct or provide financial

assistance for the educational training of foreign personnel, in his country or abroad, in fish, wildlife, or plant management, research and law enforcement and to render professional assistance abroad in such matters.

12. **Assistance to Preserve Biological Diversity (22 U.S.C. §2151q):** To preserve biological diversity, Section 302 of the Special Foreign Assistance Act of 1986 authorizes assistance to other countries to protect and maintain wildlife habitat and to develop sound wildlife management and plant conservation programs contained provisions related intended. The statute authorizes the USAID Administrator to engage in a series of cooperative activities with foreign nations to conserve biological diversity, in cooperation with and support by other U.S. agencies, including the U.S. Fish and Wildlife Service and the National Park Service. Such activities include information exchanges, training and education, and long-term agreements under which the host country would protect ecosystems or other wildlife habitats recommended by a U.S. Federal agency.
13. **Wildfire Suppression Assistance (42 U.S.C. §1856):** The Wildfire Suppression Assistance Act authorizes the Secretary of Agriculture or the Secretary of the Interior, in consultation with the Secretary of State, to enter into a reciprocal agreement with any foreign fire organization for mutual aid in furnishing wildfire protection resources for lands and other properties for which such Secretary or organization normally provides wildfire protection.
14. **Convention on International Trade in Endangered Species of Wild Fauna and Flora:** Known as CITES (established in 1973), this convention establishes a system for regulating the international trade in wildlife species which are or may be in danger of becoming extinct as a result of that trade. Implementing legislation can be found in the Endangered Species Act of 1973 (16 U.S.C. 1531-38).
15. **Convention on Wetlands of International Importance:** Known as the Ramsar Convention (1976), this convention seeks to preserve wetlands nominated by member countries based on their international significance especially as migratory bird habitats. Everglades National Park was designated in 1988 and there currently are 17 Ramsar designated sites in the U.S. Implementing legislation may be found in the National Historic Preservation Act.
16. **Protocol on Specially Protected Areas and Wildlife in the Wider Caribbean Region of 1990:** This protocol provides a mechanism for strengthened marine, related terrestrial and/or cultural cooperation between State Parties and the private sector to enhance resource management effectiveness within the Wider Caribbean Region. This includes the coastal Atlantic nations from the southeast U.S. to Venezuela and the island nations party to the Cartagena Convention.
17. **Convention to Combat Desertification:** Ratified by the U.S. in 2000, this Convention is intended to combat desertification and mitigate the effects of drought in arid, semi-arid, and dry sub-humid lands through effective action at all levels. In

particular, the Convention addresses the fundamental causes of famine and food insecurity in Africa, by stimulating more effective partnership between governments, local communities, non-governmental organizations, and aid donors, and by encouraging the dissemination of information derived from new technology (e.g., early warning of impending drought) to farmers.