

MEMORANDUM OF UNDERSTANDING
among
DEPARTMENT OF AGRICULTURE
Forest Service
DEPARTMENT OF COMMERCE
International Trade Administration
DEPARTMENT OF THE INTERIOR
Bureau of Indian Affairs
Bureau of Land Management
Bureau of Reclamation
Fish & Wildlife Service
National Park Service
DEPARTMENT OF TRANSPORTATION
Federal Highway Administration
SMALL BUSINESS ADMINISTRATION
and
WESTERN STATES TOURISM POLICY COUNCIL

This Memorandum of Understanding (MOU) is made and entered into by and among the Department of Agriculture: Forest Service (FS); Department of Commerce: International Trade Administration (ITA); Department of the Interior: Bureau of Indian Affairs (BIA), Bureau of Land Management (BLM), Bureau of Reclamation (BOR), Fish & Wildlife Service (FWS), National Park Service (NPS); and Department of Transportation: Federal Highway Administration (FHWA) and the Small Business Administration (SBA), hereinafter referred to by their initials or collectively as the Agencies; the consortium of western states tourism offices (Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming) collectively known as the Western States Tourism Policy Council (WSTPC), hereinafter referred to by its name or initials.

I. PURPOSE

The purpose of this MOU is to establish a general framework for cooperation between the FS, ITA, BIA, BLM, BOR, FWS, NPS, FHWA, SBA and the WSTPC. The Agencies and the WSTPC desire to work together to achieve the common goals of advancing the domestic and international public's awareness of travel and tourism on Federal lands and to encourage use of these travel and tourism opportunities in an environmentally sensitive manner to produce long-term economic, business development, educational, and recreational benefits, especially in rural areas.

Deleted: a

The Agencies and the WSTPC shall continue to work together to coordinate and support projects and conferences, such as the Western Summit on Tourism and Public Lands, the Conference on Beyond the Boundaries: Building Gateway Partnerships for the 21st Century, Partnerships in Transportation and Tourism, Gateway Community Partnerships for Tourism and Conservation and American Indian Tourism Conference. The Agencies and the WSTPC shall cooperate with State, local, tribal, regional, and private entities to:

- Enhance the visitor experience on Federal lands;
- Enhance opportunities for small business development in travel and tourism industries;
- Support the long-term economic viability of communities in the western United States and local travel and tourism industries that serve those communities;
- Protect and interpret as appropriate the natural, environmental, cultural and historical resources which serve as the foundation for travel and tourism; and
- Respect the needs and values of citizens in the western United States.

Deleted: .

Deleted: ¶

II. APPLICABLE LAWS

The USDA Forest Service has the authority to enter into this agreement pursuant to the Organic Administration Act of 1897 16 U.S.C. § 551); Multiple Use Sustained-Yield Act, 16 U.S.C. § 528 *et seq.*

The Department of Commerce has authority to enter into this agreement pursuant to 14 U.S.C. 1512 and 22 U.S.C. 2122.

The Department of the Interior has authority to enter into this agreement pursuant to 16 U.S.C. 460l (b), 460l (f), 464, 661; and 43 U.S.C. 1737(a).

The Bureau of Indian Affairs has the authority to enter into this agreement under title 23 U.S.C., Section 6004, Education and Training Program.

The Bureau of Land Management has the authority to enter into this agreement pursuant to BLM - Federal Land Policy and Management Act (FLPMA) of October 21, 1976, as amended (43 U.S.C. 1701-1782)

The Bureau of Reclamation has the authority to enter into this agreement pursuant to the Reclamation Act, June 17, 1902, as amended, 43 U.S.C Chapter 12, Sec. 371 *et seq.*

The Fish & Wildlife Service has the authority to enter into this agreement pursuant to the Fish and Wildlife Act of 1956 (16 U.S.C. Act (16 U.S.C. 460k-2); Fish and Wildlife Conservation Act of 1980 16 U.S.C. 2901 *et seq.*); Fish and Wildlife Coordination Act (16 U.S.C. 661); and the National Wildlife System Administration Act (16 U.S.C. 668 dd-ee).

The National Park Service has authority to enter into this agreement pursuant to 16 U.S.C. § 1-3 – General Authority to Take Actions That Promote and Regulate Units of the National Park System.

The Department of Transportation has authority to enter into this agreement pursuant to 49 U.S.C. 101 and 301.

The Small Business Administration has authority to enter into this agreement pursuant to the Small Business Act, 15 U.S.C. § 637(b)(1)(A).

III. STATEMENT OF MUTUAL INTEREST AND BENEFITS

The Agencies that are responsible for the management of Federal lands and resources are dedicated to increasing public awareness and appreciation of these resources and their management. Potential benefits from encouraging responsible travel and tourism on Federal lands extend beyond the United States' borders.

Deleted:

The Agencies that are not responsible for Federal land management are dedicated to providing technical assistance to provide for sustainable development of Federal lands and small business development. As appropriate, these Agencies conduct their programs to preserve and promote cultural and natural resources on Federal lands.

Deleted:

American Indian Nations have a rich heritage that enhances America's cultural diversity and inspires visitors from around the world. The Agencies respect and recognize the sovereignty of tribal nations and each tribe's approach to tourism development. The Agencies will work together with the American Indian Alaska Native Tourism Association (AIANTA) to facilitate coordination, collaboration, and communication with tribal tourism organizations.

Deleted:

Federal lands provide important travel and tourism opportunities that appeal to Americans and international visitors. Travel and tourism on Federal lands provide significant economic, educational, and recreational benefits for the United States in general and rural communities in particular. Encouraging international tourism on Federal lands provides important benefits, including a positive impact on the national balance of trade and a better understanding of American society and culture.

Deleted:

Deleted: f

Visitors to Federal lands and residents of rural areas in the United States can be better served if the Agencies and the WSTPC work together toward mutually beneficial objectives. Meeting these objectives will contribute to the sustainability of local communities through the protection and management of America's Federal lands.

The mission of the WSTPC is to foster a positive environment for travel and tourism by serving a forum for identifying, researching, analyzing, and advocating travel and tourism related issues affecting public policy and opinion in the western United States.

IV. THE AGENCIES AGREE, AS APPLICABLE TO EACH'S MISSION AND AS AVAILABLE FUNDING ALLOWS, TO:

Develop and distribute information about travel and tourism opportunities in western States.

Provide assistance to travel and tourism organizations in planning, development, marketing, and management of travel and tourism on Federal lands.

Deleted: f

Organize, encourage, and participate in community activities that enhance understanding about the use of travel and tourism to diversify the economic base of communities.

Organize and conduct assessments and educational programs that enhance the ability of Agencies to manage travel and tourism activities in balance with stewardship responsibilities.

Coordinate with private entities and tribal, State, and local governmental entities to provide tourism opportunities.

Promote sustainable management practices to protect natural, historic, and cultural resources of Federal lands.

Deleted: f

Cooperate with the WSTPC in facilitating the development of sustainable projects and policies, such as those recommended at the Western Summit on Tourism and Public Lands; the Conference on Beyond the Boundaries: Building Gateway Partnerships for the 21st Century; the Partnerships in Transportation and Tourism Conference; and the Gateway Community Partnerships for Tourism and Conservation Conference.

Deleted:

Meet with WSTPC three times a year to develop recommended actions and research for the following year.

V. THE WSTPC AGREES, AS AVAILABLE FUNDING ALLOWS, TO:

Assist the resource and land management Agencies and the communities involved in travel and tourism projects.

Assist in the development, distribution, and use in rural destinations of educational materials and resource assessments related to travel and tourism on Federal lands.

Help the Agencies determine which information relating to travel opportunities on Federal lands is needed by the travel and tourism industry and how best to disseminate that information.

Assist the Agencies in planning, development, marketing, and management of travel and tourism on Federal lands.

Obtain prior written approval from the affected Agencies of all press releases, published advertisements, or other statements intended for the public that refer to this MOU or the Department of the Interior, or any of its agencies; the United States Department of Agriculture or the U.S. Forest Service; the Department of Commerce or the International Trade Administration; or the Department of Transportation or the Federal Highway Administration; or the Small Business Administration.

Deleted:

Deleted: .

Deleted: .

Cooperate with the Agencies in facilitating the development of sustainable projects and policies, such as those recommended at the Western Summit on Tourism and Public Lands; the Conference on Beyond the Boundaries: Building Gateway Partnerships for the 21st Century; the Partnerships in Transportation and Tourism Conference; and the Gateway Community Partnerships for Tourism and Conservation Conference.

Deleted:

Meet with the Agencies three times a year to develop recommended actions and research for the following year.

VI. IT IS MUTUALLY AGREED BY AGENCIES AND THE WSTPC THAT:

Deleted: ¶
¶

The Agencies, WSTPC, and their respective agencies and offices will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

Deleted:

Specific work projects or activities that involve the transfer of funds, services, or property among parties to this MOU will require the execution of separate agreements or contracts, contingent upon available funds from the WSTPC or as appropriated by Congress. Each subsequent agreement or arrangement involving the transfer of funds, services, or property between parties to this MOU must comply with all applicable statutes and regulations, including statutes and regulations applicable to procurement activities, and must be independently authorized by appropriate statutory authority.

This MOU in no way restricts the FS, ITA, BIA, BLM, BOR, FWS, NPS, FHWA, SBA, and the WSTPC from participating in similar activities or arrangements with other public or private agencies.

Nothing in this MOU shall obligate the cooperating agencies to expend funds or to enter into any contract or other obligation.

This MOU shall take effect upon the signature of all parties and shall remain in effect for time period up to 5 years from the date of execution. The MOU may be extended or amended upon written request of any party and the subsequent written concurrence of other parties. Any party's participation in this MOU may be terminated after a 60 days written notice to other parties.

Deleted:

Deleted:

Nothing in this agreement shall be interpreted to imply that the United States Department of Agriculture or any of its Agencies, the United States Department of the Interior or any of its Agencies, the United States Department of Commerce, the United States Department of Transportation, or the Small Business Administration, endorse any product or service of the WSTPC. The WSTPC will not take any action or make any statement that suggests or implies such an endorsement.

Deleted: its

Deleted: it

Deleted: or

Deleted:

Additional agencies may be added to this MOU with the concurrence of the present cooperators.

This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantial or procedural, enforceable at law or equity by a party against the United States, its agencies, its offices or any person.

Deleted: .

Deleted: its offices of any person.

VII. PRINCIPAL CONTACTS

Federal Agency Representatives

Department of the Interior

Office of External and Intergovernmental Affairs
Vicki Dixon

Bureau of Indian Affairs
Ed Hall

Bureau of Land Management
Angela West

Bureau of Reclamation
Bruce Brown

Fish & Wildlife Service
Anita Noguera/Kevin Kilcullen

National Park Service
Dean Reeder

Department of Agriculture

U.S. Forest Service
Floyd Thompson

Department of Commerce

International Trade Administration
Helen Marano/Julie Heizer

Department of Transportation

Federal Highway Administration

Christy Darden/Gary Jensen

Small Business Administration

Bill Largent

Western States Tourism Policy Council

Alaska

Caryl McConkie, Alaska Office, Community and Economic Development

Deleted: Emil Notti, Commissioner

Deleted: Department of Commerce

Deleted: .

Deleted: ¶

Arizona

Margie Emmerman, Director, Arizona Office of Tourism

California

Caroline Beteta, Deputy Secretary, California Division of Tourism
(Chair, Western States Tourism Policy Council)

Colorado

Kim McNulty, Director, Colorado Tourism Office

Hawaii

Rex Johnson, President & CEO Hawaii Tourism Authority

Idaho

Karen Ballard, State Tourism Director, Idaho Division of Tourism Development

Montana

Betsy Baumgart, Division Administrator, Montana Promotion Division

Nevada

Tim Maland, Director, Nevada Commission on Tourism

New Mexico

Mike Cerletti, Cabinet Secretary, New Mexico Department of Tourism
(Vice Chair, Western States Tourism Policy Council)

Oregon

Todd Davidson, CEO, Travel Oregon

Utah

Leigh Von der Esch, Director, Utah Office of Tourism

Deleted: a

Washington

Marsha Massey, Executive Director, Washington State Tourism Commission

Wyoming

Diane Shober, Director, Wyoming, Office of Travel and Tourism

VIII. SIGNATORIES

DIRK KEMPTHORNE, Secretary of Interior

ED SCHAFER, Secretary of Agriculture

CARLOS M. GUTIERREZ, Secretary of Commerce

MARY PETERS, Secretary of Transportation

STEVEN C. PEARSON, Administrator, Small Business Administration

CAROLINE BETETA, Chair, Western States Tourism Policy Council
Deputy Secretary, California Division of Tourism

EMIL NOTTI, Commissioner, Alaska, Department of Commerce, Community and Economic
Development

MARGIE EMMERMAN, Director, Arizona Office of Tourism

KIM MCNULTY, Director, Colorado Tourism Office

REX JOHNSON, President and CEO, Hawaii Tourism Authority

KAREN BALLARD, State Tourism Director, Idaho Division of Tourism Development

ANTHONY J. PREITE, Montana Director of Commerce

Deleted: BETSY BAUMGART,
Division Administrator,

Deleted: na Promotion Division

TIM MALAND, Director, Nevada Commission on Tourism

MICHAEL CERLETTI, Vice Chairman, Western States Tourism Policy Council
Cabinet Secretary, New Mexico Department of Tourism

TODD DAVIDSON, Chief Executive Officer, Travel Oregon

LEIGH VON DER ESCH, Director, Utah Office of Tourism

MARSHA MASSEY, Executive Director, Washington State Tourism Commission

DIANE SHOBER, Director, Wyoming Office of Travel and Tourism

Date Signed: February 27, 2008