

**Forest Service Manual
National Headquarters - Washington Office
Washington, DC**

**Forest Service Manual 1500 – External Relations
Chapter 1510 - Legislative Affairs**

Amendment: 1500-1990-1

Effective date: June 01, 1990

Duration: This amendment is effective until superseded or removed.

Superseded Directive: Entire title except ID's, 1500--1 thru 1599.04; 32, 8/72; 33, 9/72; 53, 12/77; 65, 1/80; 66, 3/80; 72, 4/81; 73, 6/81; 87, 5/83; 88, 5/83; 89, 6/83; 90, 7/83; 91, 7/83; 93, 11/83; 94, 7/84; 96, 10/84; 97, 12/84; 99, 3/85; 100, 7/85; 101, 8/85; 102, 10/85; 103, 12/85; 104, 12/85; 105, 2/86; 106, 3/86; 108, 5/86; 109, 6/86; 110, 8/86; 111, 10/86; 112, 11/86; 113, 4/87; 116, 9/87; 117, 9/87; 118, 10/87; 120, 4/88; 121, 6/88; 122, 7/88; 123, 10/88; 125, 12/88; 126, 7/89; 127, 8/89; 128, 9/89; 129, 11/24/89; 130, 2/5/90

Approved by: F. DALE ROBERTSON, Chief

Date approved:

Responsible Staff:

NEW POSTING NOTICE: This amendment is the first in a new numbering series corresponding to the year in which material was amended. Since this amendment replaces all text except Interim Directives (ID), do not check for the last transmittal received for this title. Replace the entire title text except ID's. Place this transmittal sheet at the front of the title and retain until the first transmittal of the next calendar year is received.

Explanation of changes:

1500 - Please read the new posting notice carefully. These directions apply to this transmittal only. Entire text, except ID's, is replaced. New text corresponds with text located in the National Information Center. The electronic document names are shown above for ease in accessing them from the National Information Center. Direction has not been changed. Some minor typographical and technical errors were corrected. Amendment numbers and dates noted above are listed for historical purposes only. All subsequent amendments will be issued by document.

Table of Contents

1510.1 - Authority..... 4

1510.1a - Coordination and Clearance of Legislative Reports by the Office of Management and Budget 4

1510.1b - Confidential Nature of Legislative Reports..... 4

1510.1c - Expressing Positions on Legislation 4

1510.1d - Employee Responsibility and Conduct 5

1510.1e - Lobbying by Federal Employees..... 5

1510.1f - Confidential Nature of Budget Estimates..... 5

1510.2 - Objectives 5

1510.3 - Policy 6

1510.31 - Employee Participation in the Legislative Process 6

1510.31a - Commenting Officially on Legislation 6

1510.31b - Communicating with Congress..... 6

1510.32 - Releasing Budget Information to Members of Congress and the Public..... 6

1510.4 - Responsibility 6

1510.41 - Washington Office 6

1510.41a - Deputy Chief, Programs and Legislation 6

1510.41b - Director, Legislative Affairs Staff..... 7

1510.41c - Director, Program Development and Budget Staff..... 7

1510.41d - Other Staff Directors 8

1510.42 - Regional Foresters, Station Directors, and the Area Director..... 8

1510.42a - Legislative Coordinators in Field Units 8

1511 - Legislative Program..... 8

1511.02 - Objectives..... 8

1511.04 - Responsibility 9

1511.04a - Legislative Affairs Staff 9

1511.04b - Washington Office Staff Directors..... 9

1511.04c - Regional Foresters, Station Directors, and the Area Director 9

1511.05 - Definitions 9

1512 - Coordination of Other Reports to Congress 9

1512.04 - Responsibility 9

1512.04a - Legislative Affairs Staff 9

1512.04b - Washington Office Staff Directors..... 10

1513 - Congressional Hearings 10

1513.04 - Responsibility 10

1513.1 - Participation in Field Hearings 10

1514 - Drafting of Legislation at the Request of Members of Congress 10

1515 - Contacts with Members and Committees of Congress 11

1515.02 - Objective 11

1515.03 - Policy..... 11

1515.04 - Responsibility 11

1515.04a - Washington Office..... 11

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.

1515.04b - Regional Foresters, Station Directors, and the Area Director 12
1515.1 - Congressional Travel Requests..... 12
1515.2 - Congressional Invitations to Dedications, Ceremonies, and Other Special Events 12
1516 - Correspondence with Members of Congress..... 12
1517 - State Legislative Activities 13

Forest Service expertise in forest and rangeland resource protection and management plays a vital role in the formulation of Federal natural resource and associated environmental legislation.

The Forest Service helps prepare Presidential and Departmental legislative proposals, answers congressional inquiries about Forest Service programs and funds, and provides formal written reports or testimony to congressional committees requesting views on pending legislation. This chapter outlines the policies and guidelines for employee participation in legislative activities and sets forth relevant responsibilities.

1510.1 - Authority

1510.1a - Coordination and Clearance of Legislative Reports by the Office of Management and Budget

Office of Management and Budget (OMB) Circular No. A-19, Legislative Coordination and Clearance, outlines procedures for OMB coordination and clearance of agency recommendations on proposed, pending, and enrolled legislation. This circular also includes instructions on the timing and preparation of agency legislative programs and legislative proposals.

1510.1b - Confidential Nature of Legislative Reports

USDA Office of Budget and Program Analysis (OBPA) Manual DM-1260-1 provides detailed instructions for the preparation, review, and clearance of any written expression of official position on pending or proposed legislation for transmittal to Members of Congress, any congressional committee or committee member, or to OMB.

OBPA DM-1260-1 specifies that proposed legislative reports do not represent the official position of the Department or the Administration until cleared for policy within the Department and OMB and signed in the Office of the Secretary. Agencies cannot release the Department's report without the Secretary's permission, until such reports are released by the committees, made public at committee hearings, or printed in committee reports or hearings.

1510.1c - Expressing Positions on Legislation

When an official Departmental position is made public, Forest Service employees may discuss that position with the public. In the absence of an official position, employees shall explain that the Department has not yet reached a position and limit any remarks to legislative facts involved in the proposal. The Forest Service has no official position on legislative matters. The Department takes a position, which the Forest Service supports. Forest Service employees must support the official position—even if the Forest Service originally recommended an alternate position.

As private citizens, Federal employees may petition or furnish information to Members of Congress. Forest Service employees may express views on Forest Service issues, but they must make clear that they are doing so as private citizens and not as official representatives of the Forest Service or the Department. Employees are not to be on official time or in per diem status when expressing personal views on legislation.

1510.1d - Employee Responsibility and Conduct

The Secretary of Agriculture's regulations relating to employee responsibilities and conduct (7 CFR, Part 0, subparts A and B) govern employee participation in the political process. Federal Personnel Manual chapter 733 also discusses political activities of Federal employees.

1510.1e - Lobbying by Federal Employees

18 U.S.C. 1913 prohibits lobbying by Government employees with appropriated money.

1510.1f - Confidential Nature of Budget Estimates

USDA Budget Manual DM-2000-1 provides instructions on the preparation of an agency's annual budget.

The Manual directs that the confidential nature of agency submissions, requests, recommendations, supporting materials, and similar communications on the budget must be maintained. Presidential budget decisions are not final until the budget itself is transmitted to Congress. The head of each agency is charged with the responsibility for preventing premature disclosure of budgetary information.

1510.2 - Objectives

Within the constraints of external authorities governing agency involvement in legislative matters, the Forest Service participates in legislative affairs:

1. To respond promptly and as fully as possible to congressional, Administration, and public inquiries concerning Forest Service programs and to requests related to proposed and pending legislation and related congressional actions.
2. To provide timely and accurate information on the status and significance of pending legislation affecting Forest Service programs and personnel.

1510.3 - Policy

1510.31 - Employee Participation in the Legislative Process

1510.31a - Commenting Officially on Legislation

Any employee who wishes to comment officially on legislation concerning the Forest Service must first consult superiors and the Washington Office Legislative Affairs Staff for advice.

1510.31b - Communicating with Congress

When Forest Service employees have questions about the appropriateness of communications with Members of Congress, they should seek the counsel of the Chief through the Legislative Affairs Staff in the Washington Office.

1510.32 - Releasing Budget Information to Members of Congress and the Public

Forest Service employees must coordinate all requests for budget estimates and information, through channels, with the Program Development and Budget Staff in the Washington Office, to ensure consistency and credibility of budget data and to ensure conformance to Departmental clearance procedures.

1510.4 - Responsibility

During each session of the Congress, several hundred bills that could affect the Forest Service are considered. Forest Service officers, based on their assignments, have a responsibility to analyze pending legislation that could affect Forest Service programs and authorities, to determine the impact of proposed legislation on agency activities, and, through appropriate organizational channels, to provide factual information that will assist Congress in developing sound legislation.

1510.41 - Washington Office

1510.41a - Deputy Chief, Programs and Legislation

The Deputy Chief for Programs and Legislation has the primary responsibility for initiating and coordinating action on bills and related legislative matters. The Deputy Chief is responsible for coordinating legislative matters with Chief and Staff and is delegated authority for approving Forest Service recommendations on legislative reports, testimony, and other actions involving legislation.

1510.41b - Director, Legislative Affairs Staff

The Director of Legislative Affairs is assigned day-to-day responsibility for all legislation affecting Forest Service programs and employees, except for appropriation bills. Specifically, the Director of Legislative Affairs is responsible for:

1. Providing legislative advice and assistance to the Chief and the Chief's Staff.
2. Coordinating and preparing legislative reports, testimony and draft legislation, and monitoring legislative action.
3. Coordinating and preparing proposals for inclusion in the USDA legislative program and analyzing the need for new or amended statutory authority.
4. Conducting liaison with Congress and coordinating congressional liaison activities with the Department, within the Washington Office, and with field units.
5. Providing current legislative documents and information on the status of pending legislation to appropriate Forest Service line and staff officers.
6. Providing orientation and training in legislative process.
7. Serving as the key source of information on all legislative matters.

The Legislative Affairs Staff works closely with those Staff Directors and Deputy Chiefs whose activities are affected by pending legislation. The Director of the Legislative Affairs Staff is also responsible for coordinating input from other agencies in the Department, clearing positions on legislation through the Office of the General Counsel (OGC), and working closely on legislative matters with the Department's Office of Governmental and Public Affairs (OGPA) and Office of Budget and Program Analysis (OBPA), OMB, and Congressional Affairs Staffs in other Federal departments and agencies.

1510.41c - Director, Program Development and Budget Staff

The Director of the Program Development and Budget Staff (PD&B) is responsible for coordination and development of appropriations legislation. This Staff prepares annual and supplemental budget requests for submission to the Department, OMB, and Congress and provides the primary liaison on Forest Service budget matters. The PD&B Staff responds to detailed questions on the status and provisions of appropriation bills, deferral requests, and rescission requests.

1510.41d - Other Staff Directors

Directors of programs that could be affected by proposed or pending legislation are responsible for:

1. Analyzing legislation.
2. Gathering information necessary to develop a position on a bill.
3. Preparing briefing materials related to a bill.
4. Coordinating input from field units on legislative matters.
5. Ensuring the correctness and completeness of facts and data provided to Congress, the OMB, and the public on legislative matters.

Staff Directors shall also inform the Director of Legislative Affairs and the appropriate Deputy Chief of any significant information affecting legislative matters and coordinate with the Director of Legislative Affairs when working directly with congressional or committee staffs on significant issues.

1510.42 - Regional Foresters, Station Directors, and the Area Director

Regional Foresters, Station Directors, and the Area Director shall ensure that requests by Washington Office Staffs for input to legislative proposals, reports, and hearings are met on a timely basis with accurate and complete information. Regional Foresters, Station Directors, and the Area Director are encouraged to submit their views and information on pending legislation that could affect their responsibilities to the Washington Office in advance of specific requests.

1510.42a - Legislative Coordinators in Field Units

Each Regional Forester and Station Director and the Area Director shall designate a legislative coordinator to coordinate legislative activities and to serve as a focal point for the unit's contact with the Legislative Affairs Staff in the Washington Office.

1511 - Legislative Program

1511.02 - Objectives

1. To identify needed legislation and to recommend proposals to improve the administration of the Forest Service and its programs.
2. To support the Department's legislative program.

1511.04 - Responsibility

1511.04a - Legislative Affairs Staff

The Director of Legislative Affairs initiates and establishes procedures for the preparation and development of the annual legislative program. The Director also coordinates the identification, ranking, and submission of Forest Service proposals and initiates and completes each proposal approved by the Department for inclusion in the legislative program.

1511.04b - Washington Office Staff Directors

Staff Directors are responsible for reviewing program operations and legislative authorities governing their program areas to identify annual legislative needs. They are also responsible for proposal preparations such as: gathering background information and supporting data and developing a summary, analysis, and justification of the proposal. Staff Directors are responsible for obtaining the concurrence of the appropriate Deputy Chief prior to submission of legislative proposals to the Director of Legislative Affairs.

1511.04c - Regional Foresters, Station Directors, and the Area Director

Regional Foresters, Station Directors, and the Area Director should ensure that their units annually review legislative needs and submit recommendations to the Washington Office with appropriate background data.

1511.05 - Definitions

The legislative program consists of those legislative proposals that the Department intends to submit to Congress. Items include repeal, amendment, and extension of existing laws that govern Departmental programs and activities, as well as new initiatives that require statutory authority.

1512 - Coordination of Other Reports to Congress

1512.04 - Responsibility

1512.04a - Legislative Affairs Staff

The Legislative Affairs Staff coordinates Departmental and Administration clearance of all reports to Congress.

1512.04b - Washington Office Staff Directors

Staff Directors must inform the Legislative Affairs Staff in advance of any report that is being readied for submission to Congress. Staff Directors must also notify the Legislative Affairs Staff when the report is signed and ready for transmittal to Congress.

1513 - Congressional Hearings

1513.04 - Responsibility

Witnesses for congressional hearings are requested through a written request to the Department. The Chief reserves authority to recommend the witness to the Assistant Secretary for Natural Resources and Environment. The Legislative Affairs Staff prepares and clears the formal written statement containing the Department's testimony.

The Deputy for Programs and Legislation or the Director of Legislative Affairs must be contacted immediately when Members of Congress or committee staff personnel contact any Forest Service official to request witnesses for hearings. Forward written requests to the Director of Legislative Affairs for action.

1513.1 - Participation in Field Hearings

Regional Foresters, Station Directors, and the Area Director shall immediately notify the Deputy Chief for Programs and Legislation or the Director of Legislative Affairs when a request is made to a field office for a witness at a congressional field hearing. Clearance from the Deputy Chief for Programs and Legislation is required before an employee can testify. Field units must prepare and clear testimony for field hearings with the assistance of the Legislative Affairs Staff.

Forest Service field employees are often requested to make a presentation on Forest Service activities at congressionally sponsored public meetings or hearings in a Senator's State or Representative's home district. Submit all requests for such presentations to the Director of Legislative Affairs for Departmental clearance and approval. Forest Service employees may not agree to participate until Departmental approval is received.

1514 - Drafting of Legislation at the Request of Members of Congress

Departmental policy is to draft legislation only upon written request of a Member of Congress. Treat a Member's request for a drafting service confidentially.

Final drafting and transmittal of proposed legislation are performed only in the Washington Office under the direction of the Deputy Chief for Programs and Legislation. Drafts prepared at the request of a Member of Congress need not necessarily reflect the views of the Department. Forest Service officials shall make no recommendations or indications of favor

or disfavor in regard to such drafts unless and until Departmental approval and Office of Management and Budget advice has been secured.

1515 - Contacts with Members and Committees of Congress

Line and Staff officers have various opportunities to meet or to talk with Members of Congress, their staffs, and committee staffs.

1515.02 - Objective

The objective in contacting Members of Congress is to respond to a request for information about Forest Service programs or actions or to inform Members of Forest Service actions of significance to their State or District.

1515.03 - Policy

Line officers and key staff shall acquaint themselves with the members of the congressional delegation from their State(s) and should keep them fully informed on matters pertaining to Forest Service programs and activities.

Forest Service personnel traveling to Washington, D.C., to contact Members of Congress or their staffs must coordinate their proposed visit in advance with the Legislative Affairs Staff. After the meeting is held, the visiting personnel should prepare a brief report to the Director of Legislative Affairs covering their discussion with the Members.

1515.04 - Responsibility

The Deputy Chief for Programs and Legislation coordinates and provides guidance on congressional contacts. The Director of Legislative Affairs is responsible for day-to-day guidance on congressional contacts and coordination.

1515.04a - Washington Office

Staff Directors may establish appropriate communications with individual Members and their staffs in Washington, D.C. Staff Directors should coordinate contacts involving issues of significant Service-wide interest with the Legislative Affairs Staff. The Program Development and Budget Staff coordinates and makes contacts with the Appropriations and Budget Committees.

Primary responsibility for contacts with congressional committee staffs rests with the Legislative Affairs Staff. Washington Office Staffs should not initiate or respond to a request for a meeting with authorizing or Appropriations Committee staff without contacting the Director of Legislative Affairs or the Director of Program Development and Budget for advice and concurrence. The Legislative Affairs Staff coordinates distribution of press releases to Congress with the appropriate program staff and the Office of Information.

1515.04b - Regional Foresters, Station Directors, and the Area Director

Regional Foresters, Station Directors, and the Area Director are responsible for: (1) communicating with Senators, Representatives, and their staffs on matters of Region, Station, or Area-wide significance, (2) providing guidance to Forest Supervisors and Project Leaders on congressional contacts, and (3) ensuring that contacts are made at the local level.

1515.1 - Congressional Travel Requests

Members of Congress, their personal staffs, and committee or subcommittee staffs may request onsite briefings of Forest Service activities. Such requests may be related to an issue of importance in a particular congressional district or may be for the purpose of investigating or overseeing Forest Service performance and management. These requests also are made in conjunction with field hearings or other committee action on pending legislation affecting Forest Service programs and activities, including appropriations legislation.

The Program Development and Budget Staff coordinates travel requests by Members and/or staff of appropriations committees through the field unit's designated Legislative Coordinator. The Legislative Affairs Staff coordinates all other congressional travel with field units through the Legislative Coordinators. After initial discussion with the Member and/or staff, the Program Development and Budget Staff or Legislative Affairs Staff designates the field unit responsible for local coordination. This unit has responsibility for working directly with the requesting party to complete itineraries and travel arrangements and for briefing the Program Development and Budget Staff or Legislative Affairs Staff following the trip.

When Members or their staffs request travel assistance directly from field units, Regional Foresters, Station Directors, or the Area Director shall ensure that the Legislative Affairs Staff is notified promptly and briefed following the congressional field trip. Legislative Coordinators shall inform budget officers of all congressional travel requests and arrangements so that financing can be arranged. See the Forest Service supplement to paragraph 1-1.3 of the Agriculture Travel Regulations (FSH 6509.33, paragraph 1-1.3p) for specific direction related to incurring and authorizing expenses for congressional travel.

1515.2 - Congressional Invitations to Dedications, Ceremonies, and Other Special Events

Field units must contact the Office of Information Staff in the Washington Office prior to inviting a local congressional delegation to dedications, ceremonies, and other special events. Information needed by the Washington Office includes date and location, type of event, and who will be invited from the congressional delegation.

1516 - Correspondence with Members

Letters prepared by the Forest Service in response to congressional correspondence or letters initiated by the Forest Service to Members of Congress should be written clearly and

accurately and should directly answer the Member's questions. Follow the applicable procedures and instructions in FSH 6209.12, Correspondence Handbook, in preparing congressional correspondence. Send one copy of all letters to Members of Congress to the Legislative Affairs Staff in the Washington Office. This enables the Washington Office to answer inquiries that may be received, determine on a sampling basis whether the communication conforms to Departmental and Forest Service policies, and determine the need for followup.

1517 - State Legislative Activities

Occasionally, Forest Service personnel in field offices are requested to testify at hearings on State legislative proposals. Regional Foresters, Station Directors, or the Area Director may testify or may authorize their personnel to testify at State legislative hearings, if the subject matter of such hearings is clearly related to Forest Service activities. Unit personnel must prepare and obtain advance approval of proposed testimony from their Regional Forester, Station Director, or the Area Director.

Confine testimony at a State legislative hearing to information and facts helpful to the State body. When an official position on proposed State legislation is required, that position must be cleared by the Deputy Chief for Programs and Legislation prior to the hearing.