**Teleconference Attendance:**

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| |  |  |  | | --- | --- | --- | | **AFWA Representatives** | **WSFR Representatives** | **Guests** | | Rusty Garrison (GA) Co-Chair | Paul Rauch (FWS-HQ) Co-Chair | Tammy Brooks (TX) – Chair - FACWG | | Bryan Burhans (PA) | Cliff Schleusner (IR6, IR8) | Paul Wilkes (KY) – Vice Chair - FACWG | | Lisa Holt (AK) | Colleen Sculley (IR1) | Mike Sawyers (MA) | | Mark Tisa (MA) | Clint Riley (IR5, IR7) | Scott Knight – WSFR HQ | | Martha Williams (MT) | Lisa Van Alstyne (HQ) | Christy Vigfusson – WSFR HQ | | Jim Douglas (NE) | Bob Curry (HQ) | Tim Smith – WSFR HQ | | J. D. Strong (OK) | Greg Siekaniec (IR11) Unavailable | Sheila Cameron (AK) | | John Lord for Lane Kisonak – (Counsel) | Larry Mellinger (Counsel) |  | |  | Diana Swan-Pinion for Christina Milloy – JTF Liaison |  | |

JTF met through a Microsoft Teams Meeting; 1:00 pm EDT on Tuesday, April 28, 2020. Opening remarks from Paul Rauch and Rusty Garrison, Co-chairs of the JTF.

No AFWA or Wildlife and Sport Fish Restoration Program updates were presented.

**Review Action Items from December 2019 JTF Meeting** (Bob Curry):

*Desired Outcome: Closure on Action Items and agreement on next steps.*

* Bob reviewed the updated Fall 2019 Meeting Action Items document “December 3 2019 JTF ACTION ITEMS Update\_4-28-2020.docx” that was provided prior to the meeting. An updated Action Item list will be provided after the meeting.

**Issue ID Protocol** (Paul Rauch/Tammy Brooks):

* JTF will determine if any issues are appropriate for the Fall 2020 meeting agenda.
* Received 7 issues from 5 States

*Desired Outcome: Decision on which issues will be taken up by the JTF for consideration at the fall, 2020 JTF meeting and the next steps for those items.*

Paul provided some background on the process developed a few years ago for JTF issue identification. Under this Issue ID Protocol, a memo went out in January from Paul and Rusty to all States to request submissions for any issues that might meet the criteria for JTF consideration. Five states submitted responses on 7 issues. Under the protocol the Federal Aid Coordinators Working Group (FACWG) conducted a review to make recommendations to the JTF on which issues should be considered. A similar evaluation was conducted by WSFR Regional Managers and HQ staff. The FACWG and WSFR discussed all 7 issues during the WSFR Regional Managers Meeting last week. The goal today is for the JTF to determine if any of the issues are appropriate for the Fall 2020 JTF meeting agenda. WSFR, the JTF, and the FACWG would research any issues selected to prepare sufficient information for a detailed discussion during the fall meeting.

Issue #1– Georgia (365-day licenses and disadvantages)

Paul discussed how this issue relates to questions of fairness surrounding the use of 365-day annual licenses, with comparisons of how multi-year vs. annual licenses are handled. From WSFR’s research into the history on this topic, this dates back to the 2011 50 CFR 80 revision and includes AFWA looking at the issue with a Working Group. A year ago those results were codified, consistent with decisions of the AFWA WG. Tammy relayed that the FACWG felt that this issue has been brought up to the JTF on several occasions and the rule was clear, so perhaps it should not go to JTF again but there should be a conversation between Georgia and WSFR.

Larry confirmed the JTF has grappled with this issue for a number of years and has discussed it. The Service has to make apportionments from the Trust Fund, and States have input. There is a perception that some States might be trying to ‘game the system’ and there are multiple examples of this. The JTF held a subcommittee meeting on Sapelo Island in 2004 and recommendations were taken to the AFWA Executive Committee (ExCom). The ExCom adopted some, but not all, recommendations and ultimately developed what was to be put into the regulation, to be as equitable a division of funds as possible. A definition of ‘paid license holder’ was developed, and the $2 minimum, to address multi-state licenses. The JTF (at the time) and AFWA Directors decided this was the most equitable solution, and the Service Director, acting on behalf of AFWA Directors, confirmed it was the final decision. Certainly, the JTF could take it up again and try to improve on existing language in the regulation. However, Larry (and others) were not clear about the example of a ‘2-yr license counted in 3 different periods’; they should be counted once when initiated, once the subsequent year, and no more, and an annual license should only be counted in one period, otherwise it would be unfair.

To clear up the confusion Rusty explained that a two-year license, if priced accordingly to meet the minimum, would be counted in 3 periods if it falls within all of them, but a 365 even if also priced to cover two years is only allowed to be counted in one period, based on what they are told for interpreting the regulation. In other words, a two-year license could be like a 365 license, but is counted like a lifetime license as long as it makes the $2/year, and because of this Georgia is losing about $1M because of the way it is interpreted. He suggested this should go forward, because there may be other certification issues and following through on this with all States may bring those to the surface.

There was general consensus (Paul, Jim, Rusty, Martha, Clint) that perhaps this issue hasn’t been sufficiently resolved if it does keep coming up repeatedly, and we may need to re-visit it in light of R3. One of the JTF’s objectives is making sure apportionments conform with statute language but addressing one piece can result in other issues arising. In conclusion, Paul suggested the issue go to the ExCom for the next step. WSFR will frame the concerns beginning with those laid out by Georgia in their topic submission, and then Rusty as co-chair of the JTF can bring this to the ExCom for discussion.

**Action Item:** WSFR will frame the concerns, incorporating the Georgia letter, into a document that Rusty will take to the ExCom.

Issue #2 – Florida (Grant Solutions, lack of information and burden)

Paul commented that this issue arose because a number of impending actions (e.g., Grant Solutions, TRACS) were unclear or lacking information, but the issue was addressed in the letter from AFWA to the Secretary. This was the better approach because DOI, and not WSFR, has control over Grant Solutions implementation. There was one adjustment made to the timeline, but Grant Solutions is a legacy project for this administration it’s unlikely the implementation schedule will be delayed again.

WSFR commits to doing everything they can to ensure States are taken care of during the implementation of Grant Solutions, including our push to get grant packages submitted early for processing in FBMS or for review prior to a Grant Solutions submission. We are considering other possibilities going forward and intend to get a message out to the States next week. However, this is not within the jurisdiction of the JTF for action. Rusty commented that a second letter had been sent the previous Friday from AFWA to the Secretary specific to Grant Solutions, stating that *every* State is behind this and there is no support from AFWA at all for the Grant Solutions rollout. Tammy emailed a copy of the letter to participants and stated that while the FACWG agrees this is not a JTF issue, they support the AFWA position.

**Action Item:** None.

Issue #3– Oklahoma (FAC & Fisheries) (Modernization of Cost share requirements)

Paul summarized the first issue submitted by Oklahoma, which was a desire for all awards to go to a 90/10 cost share, noting that this also was in the first AFWA letter to DOI. Clearly this is an issue that has to go through legislative channels and may already be; a question came to WSFR from a Hill staffer so this may be part of discussions for a future bill. Although the issue is valid, it is not something that is a JTF issue. Tammy responded that the FACWG supports the issue because with COVID-19 a lot of States will have significant budget issues that may be devastating, e.g., a 20% budget reduction forecast for many States, but agrees that it is not a JTF or WSFR issue. Paul indicated that WSFR would support the cost share change, at least for the short term, but was not sure what the DOI stance would be. J.D. and Jim felt WSFR support was helpful but DOI support also would be great. Tammy said that the FACWG did send the ‘ask’ letter out to all FACs, and Paul wrapped things up by stating we weren’t able to predict the DOI response and that they don’t usually clear their positions with WSFR, but if asked WSFR would express support.

**Action Item:** none.

Issue #4 – Oklahoma (FAC) (Apportionment delays)

Oklahoma’s second issue was regarding cash flow problems due to delayed final apportionments Paul expressed again that WSFR did not see this as a JTF issue, but it is something WSFR can solve or at least impact. Paul said one way to get DOI and Service leadership cued up and ready so we can expedite this is to have the relevant information ready prior to rollout. In September, during the time of the annual meeting, we can begin talking with trade associations to discuss possible venues and States to focus on so we can pull everything together by holiday break. Then in January, WSFR will have information ready to reach out to DOI immediately when asked. There is nothing the JTF can do to affect the timeline, but WSFR can get organized and apply some positive pressure to make it work better – maybe 2 months earlier. JTF members were appreciative and supportive of the plan, and the FACWG and JTF can be ready to help by providing information to facilitate and support the effort. Paul wrapped up the discussion by noting that in the past WSFR has deferred to the Service’s Communications staff, but that doesn’t really work for getting things done in a timely manner. WSFR can be more proactive, do the legwork, and be prepared to hand off information to DOI in January as soon as possible, and coordinate with them to facilitate their job.

**Action Item:** none.

Issue #5 – Nevada (FAIR – real property)

Scott shared that there were significant comments on FAIR and impacts on appraisal methodology that WSFR concurred with, but the Appraisal and Valuation Services Office (AVSO) did not agree so DOI is not likely to revisit the issue until we can show tangible impacts. However, there will be a change in AVSO leadership, so we don’t know what impact that may have on addressing this. Rusty mentioned the challenge with waiting when there aren’t enough appraisers available, and that States could lose opportunities for acquiring land - the ‘tangible impact’ is losing out on purchasing properties. Scott agreed, but wondered whether this issue could be addressed in another way. Tammy offered that the FACWG could poll States to see how big of an issue this will be across the country, and perhaps develop a white paper coming from the States that will outline the impacts nationally.

Paul said that if States can give WSFR information about impacts it will be helpful to try to get Director support (real issues will be helpful; e.g., not being able to find appraiser, cost increases, etc.). It’s not about the JTF but changing the DOI regulation so WSFR can help with attempting to reach a resolution. Colleen asked if some of this could be coordinated through the Lands Team as they have compiled data in the past, but it was not very compelling, so she agreed with needing tangible impacts. To clarify, there appeared to be confusion in feeling the issue is ‘there aren’t enough Yellow Book certified appraisers’ – i.e., there isn’t a specific certification requirement, but instead appraisers needing to appraise using Yellow Book standards. The Lands Team could help ensure that technicalities are correct, and the need is accurately portrayed, which could be critical to moving this forward and being successful. Colleen also noted that we should consider the scope as impacts may impact other Programs, like NAWCA. Paul agreed that engaging the Lands Team and being as specific as possible were good ideas, so the information Tammy collects should go through the Lands Team before it is taken up the chain.

**Action Items:** 1. Tammy will lead the FACWG in polling States to collect information on actual issues and develop a white paper in the next few weeks. 2. WSFR will put together technically accurate information, working through the Lands Team, and develop talking points. 3. Paul will use those to readdress with the Director, before going to the DOI.

Issue #6 – Nevada (Administration of payments, cash basis vs. accrual basis reporting)

Nevada’s second submitted issue was about conflicts between reporting on a cash basis vs. accrual basis. Scott said after researching the issue it became apparent it was a single audit issue. What the auditor said was that the State had to produce a report called a Schedule of Federal Expenditures because Nevada is a cash-basis State, so funds have to be reported on a cash basis. Therefore, the issue has to do with statewide accounting, not grant accounting. The Schedule of Federal Expenditures does not align with the Federal Financial Report. However, Nevada can continue on with how they have been reporting on expenditures but wrap it all up before a grant is closed. The FACWG and Paul agreed that this was not a JTF issue, but WSFR will coordinate with Nevada and Larry Riley on a response.

**Action Item:** None.

Issue #7 – Oregon (Program Income and audit issues)

The final issue was from Oregon on an audit finding for Program Income related to facilities summarized by Scott. The statewide hatchery operations grant contained facilities including manager’s residences rented out to employees but did not specify in the grant that ‘maintenance of facilities’ did not include the residences. Seeing rental income led the Office of Inspector General (OIG) to assume Program Income. WSFR confirmed that Oregon does not expend grant funds on these rental properties. This is a WSFR training issue and will be incorporated as a BMP for increased clarity of language in project narratives but also a training issue with the OIG. The FACWG agreed that it was an education issue and not a JTF issue.

When asked if WSFR could include educating the States, as this is likely a potential issue for more than Oregon, Scott said this was going to be addressed at the OIG/Fiscal meeting but had to be tabled because the meeting was scaled back. It will be revisited this summer, but Scott already has spoken to the Training Team to have excluding specific incomes from grant language added as a BMP. Paul asked if WSFR could be more proactive in getting this out to States, FACs, and fiscal staff and Scott confirmed we could connect the Training Team with the FACWG on getting the message and BMP out to FACs and fiscal managers.

**Action Items:** 1. WSFR will provide additional training and connect with OIG auditors. 2. The Training Team will provide a BMP to state FACs and fiscal staff.

**Issue ID Protocol: Summary**

Paul indicated that at this time all of the topics were determined not to be JTF issues, although Rusty would be addressing the 365-day license topic with AFWA, and WSFR will have action items or provide support for the other topics. Bob will take the lead for WSFR on preparing responses to all submitters. It will be a joint memo from Rusty/Paul, thanking the State and letting them know why the topic wasn’t appropriate for JTF consideration and how their topic was being addressed by WSFR, the FACWG, or JTF members. Memos will be completed before the end of May.

In response to discussion on whether the ID Protocol process was working in getting the word out to States, as well as a suggestion that letting States know that although the JTF was not taking up any of the proposed issues there were suggested next steps, Paul agreed that a summary message on the issues could be sent to all State Directors.

**Action Items:** Letters signed by the JTF co-chairs will be sent to each state that submitted proposals through the JTF Issue ID protocol, explaining how their topics were addressed by the JTF. A summary message on the submitted Spring 2020 issues and outcomes will be developed and sent to all State Directors as well as FACs.

**Subrecipient/SubContractor Monitoring Strategy** (Scott Knight):

*Desired Outcome: Receive report out from JTF subteam and make any final adjustments before pushing out the guidance to States*.

Bob said there had been some delays but WSFR has moved it forward, and a draft guidance document was produced. Scott outlined the issue and response, which resulted in a lengthy discussion. Scott mentioned that over the last few years there have been a lot of findings on subrecipient/ contractor management. A JTF subteam was developed to address this issue and they decided that better guidance on making sub-recipient determinations was needed as once a determination is made (correctly) it should resolve most of the other issues. Per the protocol, the draft guidance went out for review by WSFR and the States. Comments will be addressed, and the guidance will reflect the subteam’s need to get the ‘black and white’ correct and not delve into the grey areas. The OIG has said that if a State receives what is clearly a subaward they will honor that determination. The Management Advisory CAP is supposed to close next week, but WSFR still needs to review with the IG and staff to meet our corrective plan item and close it. To ensure the deadline is met, the WSFR Fiscal group will specifically address this item at next week’s OIG/WSFR Fiscal meeting.

Colleen asked for clarification on the guidance using the examples of CAHSS and the NBCI audit findings: were those addressed adequately? Scott responded that auditors would likely be questioning all costs for grants structured similarly to NBCI’s; they would be under a different Management Advisory and CAHSS probably too because it affects up to 14 States. The OIG is already responding that these types of initiatives (maybe some WMI, disease grants, etc) need to be in multiple State grants or perhaps put under (Modern) MSCGP grants. If AFWA does not want to put these in the new MSCGP, then we need to address this possibly through a policymaking effort. Scott said we all agree these are valuable conservation tools with benefits, but they have a potential for problems as currently handled as costs were not allocated properly among the States.

Rusty wanted to clarify whether the OIG is saying that NBCI, CAHSS, SCWDS *cannot* be funded by the States with WSFR grant funds. Scott explained that during the discussion of the NBCI issue the OIG indicated there were findings in at least 2 States and that they are aware we’re doing other things like NBCI (i.e., “these type of arrangements”) and it was going to be a larger issue, but he had extrapolated to SCWDS and the other entities. Rusty wondered whether this could even extend to SEAFWA, WAWFA, etc. as all are similar in function. Bob replied that the issue is not that you can’t use Federal funds, the problem is how the costs are allocated. When Rusty asked why MSCGP would be allowed as that would still be using Federal funds, Scott said those were structured differently - under NBCI, for example, some States are paying more for the same benefit as others paying less, but under MSCGP it would be single-source.

Paul wrapped up the discussion by circling back to the comment about being proactive, noting that Scott and the fiscal crew will likely be able to solve this. The OIG will issue a letter, but it will not include recommendations or a solution; WSFR must come up with a solution. It may involve a new way of handling cost allocations, even changes to regulations, but ultimately, we will be able to resolve it.   
**Action Item:** Scott will get back with the OIG, and Training Team.

**Federal Grant Flexibilities** (Paul Rauch/Rusty Garrison)

*Desired Outcome: Inform members of OMB and WSFR step-down guidance and increase awareness of grant flexibility opportunities.*

* **OMB Guidance**
* **WSFR Step-down guidance**
* **MO Dept. of Conservation Letter**
* **AFWA letter**

Instead of going through all of the OMB and Service’s step-down guidance documents Scott provided a brief overview. In regard to the Service’s document responding to the OMB COVID flexibility guidance, he noted that the flexibilities identified by the Service almost completely mirror those from the OMB except in adding two items at the end. Some items (e.g., #5) don’t really apply to WSFR grants. All have a requirement to document, and for staff designated to emergency work that is reimbursed through FEMA or another emergency funding the program will need to be reimbursed. The OIG will likely be looking at making sure there is not excessive transitioning from other funding sources to Federal awards and that States followed the guidance, especially in proportionality (of time charged) as originally set up under a grant.

Item #6 (salaries and other project activities) would be very beneficial to states as it: allows States to charge salary and benefits to awards; allows for charging extraordinary leave to an award if there is a policy that funds emergency leave from all sources; and allows for charges to awards even if not working toward project objectives. That is a lot of flexibility. Cliff asked how a State with a staff member that is partially funded through WSFR would document things, and Scott said they need to show how they supported the decision. There would already be documentation for an employee included in a new award, or the State can demonstrate that they typically charge a person to that kind of award.

Item #7, the cost of suspending operations, is allowable and interpreted broadly. However, work with the WSFR project officer as there needs to be discussion on those projects. Decision-making is per the program, so there will be many program-by-program determinations.

Item # 8 - WSFR did not waive any prior approval items as they did not see any that would have been useful.

Item #9 was related to procurement requirements - WSFR is not sure this will help unless the State also suspends those requirements, so they may be obligated if State laws still require them.

Item #10 applies to Interim APRs, not Final. WSFR will be flexible. The Service adopted #s 11, extension of currently approved ICRs, and 12, extension of closeout, for one year, so they are available if you want to use them.

Item #13 on single audits was a DOI issue for an extension of an additional 6 months to engage in state single-audits.

Item #s 14 and 15 were added by the Service after talking to OMB.

Item #14, the donation of supplies, applies only to those that were supplied through Federal funding and only what you have on-hand as of March 19th; supplies cannot be purchased and then donated.

Item #15 states that equipment can be used in direct support of COVID-19 but specifies it is for loaning, not donating– equipment disposition remains the same.

Paul discussed all of the items on the April 10th AFWA letter to Secretary Bernhardt. Under *Proposed Financial Relief* the first two items related to cost share and were already discussed: requested for 6 years, and a rationale was provided, but it would require a statutory change. The next two items covered the period of availability and a request to suspend the reversionary effect from safety margins. For the request seeking an adjustment to availability periods from 2 to 3 years (5 to 6 for RBA) the only question for us is the timing. It would be challenging because of what is already programmed into our systems and would be extremely difficult to do going backwards. For safety margins, their purpose is to allow money to be there as long as possible, so we’re not sure if this would help States that are worried about match. The next item was a request around law enforcement, and we don’t know if this was PR/DJ or more of a general statement, but again would require legal authority. The last item, on match for the LWCF, is mostly NPS and not under WSFR’s control.

The letter also addressed a need for administrative funding so WSFR would have resources to address these issues and solutions, with AFWA also supporting WSFR’s Shared Vision plans; the letter specified 3 items for increasing administrative funding. The next section outlined the burdens from the timeline for transitioning to Grant Solutions and requested a delay for the implementation date; this also was the subject of a subsequent AFWA letter. Paul said WSFR is somewhat neutral on this request; although we realize how important it would be for the States, it is a DOI management decision. The last section was on getting a delay for the OIG State agency audits. WSFR is talking with the Service Director on that issue now and will discuss it further and likely take it up to the Secretary’s office. Please note, whether supported by WSFR or not, all of these decisions would be made at the Secretary level.

Scott commented that when looking at the audit situation, consider starting with 3 months and checking on the feasibility; if 6 months is needed it would be allowed. Also consider that an extension is *voluntary*, and we want to allow States to proceed if they wish – a couple of States have indicated that they want to proceed with their current schedule. Paul asked for any thoughts, concerns, or questions - if anyone knows of anything that is not being adequately addressed or more that we could be doing to help – WSFR wants to know.

Rusty asked if there was flexibility in the TRACS schedule. Paul responded that WSFR’s intention was to stick to the schedule and go ahead with a July 1 rollout date and an October 1, 2020 grants start date for required TRACS entry by states, with Director’s buy-in sought at the fall AFWA meeting. Certainly, it also can be discussed but it would be premature to make changes now. Scott mentioned that Training was aggressively looking at how to be pro-active on training needs, but it may not just be restrictions on travel from COVID-19, it may be State budgets not being able to support this training. Paul asked if there were any other thoughts or concerns and said the OMB flexibilities are unprecedented and will hopefully help States.

**Proposed Policy Development Protocol as an approach for Implementing the Modernizing the PR Fund for Tomorrow’s Needs Act** (Christy Vigfusson/Paul Rauch/Bob Curry)

*Desired Outcome: Decision on the next steps for developing and approving PR-Modernization interim guidance.*

The JTF previously had discussed a collaborative policy development process that builds off of the JTF Issue ID Protocol model. It is the Service’s responsibility to issue policy, but we want to work with our partners. We discussed how to synthesize what WSFR is doing along with the JTF policy, especially with topics that might arise which aren’t related to JTF topics. One example is the need to develop Modernizing P-R implementation policy. The Modernizing P-R Act passed in December 2019, with immediate implementation and therefore an immediate need for guidance. This urgency resulted in sending out what we call the ‘implementation statement’ email, which should help ensure consistency across the Regions. How do we proceed in this interim period before we get official policy in place? WSFR is establishing a WSFR Advisory Team as part of the interim process, to use Modernizing P-R as a test. This Team can take questions, provide recommendations, and serve as an internal clearinghouse. Although some questions will be straightforward others will be unique; by having a Team we can help render consistent recommendations. This also will help in the interim for how we will develop the guidance, possibly by establishing a team of SMEs.

Christy and Cliff provided a presentation, which was followed by a discussion on many issues surrounding the policy SOP, the proposed Advisory Team, and the proposed SME Team for developing Modernizing P-R guidance. Topics discussed included the lack of JTF and/or State involvement in reviewing the SOP and plans for the two teams; who should be choosing the State SMEs for the Modernization guidance; the role of the Advisory Team and how it will function; how to proceed with the policy SOP; and whether proceeding with the SOP review and the Advisory Team process could delay the development of the P-R Modernization guidance, which was most urgently needed.

Paul asked about the timing as we need to get a charge together for the SME Team and work within the same timeframe as the policy SOP review: 2 weeks was targeted; we will reconvene the JTF in 30 days, send it through the Communication Protocol for all States to comment, and keep these items moving. Rusty asked how many state SMEs would be needed for the Guidance Team? Christy responded probably 3-4, and that we will change the SOP to reflect it is Rusty, Tammy, and Bryan who choose. Christy also clarified that she would reach out to Lisa H., Tammy, and Mike and plan for the SOP review.

**Action Items:** To reach the next step, develop the charge for the new Team. On the process side, the ‘small team’ from the December 2019 meeting will look over SOP then get back to the JTF on any changes. Thirty days from now we should be able to schedule a JTF call to go over both of these items.

**FAIR – Data Sharing Issue** (Rusty Garrison)

*Desired Outcome: Discuss concerns expressed by States regarding data sharing and determine if additional action is necessary.*

Rusty provided an overview on the topic. The concern is that the new rule doesn’t address data sharing protection as adequately as the old rule. The response to Colorado did not appease them sufficiently; it basically said that nothing really has changed, it’s just in a rule now. This is vague enough for concern as data sharing is in opposition to Colorado State law. States recognize data-sharing has always been there; it is clearly laid out in 2 CFR 200, but FAIR draws it much more into the forefront and expands the availability and scope of data to include all data. The concern is that there is now a regulatory change under FAIR, going from access to data in peer-reviewed publications to *all* data, including raw data. This is a trust issue and States are unsure what the government would do with raw data. Also, with the letter being vague it is open to interpretation and is not policy. The State’s perception is that despite hundreds, even thousands, of State comments submitted on FAIR they were largely ignored. The State request is that DOI clearly establish written procedures to protect sensitive, unpublished data. Tammy noted that the FACWG agrees, especially in regard to the State comments being ignored. Paul asked if there were any suggestions on how this would work? Perhaps it is an AFWA committee assignment to develop language. Rusty suggested going back to the original rule, the definition there of intangible property clearly links data to *published* data. Paul asked if that would just be a clarification or does it require a change in the FAIR? Because FAIR conflicts with this suggestion, it would likely have to be revised.

There was a consensus that this was coming from high levels within DOI, meant to impact development and use of regulations and permits and make data available to both proponents and opponents. It is odd that it was rolled out in grants as it could have been dealt with in Science and Technology in DOI; this should be a data policy not a Financial Assistance policy. The Secretary wants total transparency for what the information is being used to make decisions. This is just one part of the overall goal to have access to information, but it is having unintended consequences.

**Add-on Topics**

1) Excise Tax Receipts: Paul sent out the most recent information. We have SFR through 2nd Quarter and it is down. We don’t have second quarter results for W, but; NSSF reports that sales are up and the estimate is perhaps 20%, though this may be impacted by the 90-day extension for providing excise taxes. The tax analysis office has said they will be conducting a mid-year review of their projections. If we receive that, we’ll share it.

2) Section 6: Christy reported that Gary Frazier spoke with folks at the North American about non-traditional Section 6 grant funds, and the high level of unliquidated balances as well as delays in obligating funds on WSFR’s part. Although ES is taking steps to address these issues they wanted to let the JTF know. Some funding has been rescinded the last few years; in 2020 appropriation, ~ $18M, in 2019 ~ $7M. WSFR has offered to develop BMPs and collaborate with them. ES also wanted to inform the JTF that there will be changes in the NOFO for FY20, then ES will assemble a team to start working on the FY21 cycle. By the Spring 2021 JTF Meeting, ES may be ready to participate and update the JTF. The team may consider things like combining funding, timing, streamlining, or getting in line with other Service grant programs. Paul said Gary was trying to engage with the States in a productive way to try and resolve these problems. He understands from WSFR it is best to include States in any problem solving and is very interested in keeping states engaged.

3) Public Relations: J.D. wanted clarification on what it means that Public Relations was expanded under the Act after Modernizing P-R. It seems to open it up far beyond just the Hunter Education programs, e.g., Project Wild, Skins & Skulls. Larry responded that what happened was the Act does not say ‘you can now do Public Relations’ but instead the prohibition for not doing Public Relations was taken away. So, if Public Relations is used it must be allowable under whatever part of the Act you want to fund it under. This primarily resulted from R3 being allowed, as that would likely result in Public Relations projects. For Wildlife Restoration projects, the question is whether the Public Relations would be allowed, if you want to use it. It also has to comply with the 2 CFR 200 public relations restrictions.

**Selection of Format, Time and Place for Fall 2020 JTF Meeting**

Bob will see that a Doodle poll is sent out to identify the best time, but we’ll decide logistics later on, including a virtual vs. in-person meeting.

**Wrap up, Review of Action Items and Decision Points** (Paul Rauch/Rusty Garrison)