

vision of the Marine Mammal Protection Act of 1972 [16 U.S.C. 1361 et seq.].
(Pub. L. 93-205, §17, Dec. 28, 1973, 87 Stat. 903.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 93-205, Dec. 28, 1973, 81 Stat. 884, as amended, known as the “Endangered Species Act of 1973”, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

The Marine Mammal Protection Act of 1972, referred to in text, is Pub. L. 92-522, Oct. 21, 1972, 86 Stat. 1027, as amended, which is classified generally to chapter 31 (§1361 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1361 of this title and Tables.

§ 1544. Annual cost analysis by Fish and Wildlife Service

Notwithstanding section 3003 of Public Law 104-66 (31 U.S.C. 1113 note; 109 Stat. 734), on or before January 15, 1990, and each January 15 thereafter, the Secretary of the Interior, acting through the Fish and Wildlife Service, shall submit to the Congress an annual report covering the preceding fiscal year which shall contain—

- (1) an accounting on a species by species basis of all reasonably identifiable Federal expenditures made primarily for the conservation of endangered or threatened species pursuant to this chapter; and
- (2) an accounting on a species by species basis of all reasonably identifiable expenditures made primarily for the conservation of endangered or threatened species pursuant to this chapter by States receiving grants under section 1535 of this title.

(Pub. L. 93-205, §18, as added Pub. L. 100-478, title I, §1012, Oct. 7, 1988, 102 Stat. 2314; amended Pub. L. 106-201, §1(a), May 18, 2000, 114 Stat. 307.)

AMENDMENTS

2000—Pub. L. 106-201, in introductory provisions, substituted “Notwithstanding section 3003 of Public Law 104-66 (31 U.S.C. 1113 note; 109 Stat. 734), on” for “On”.

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-201, §1(b), May 18, 2000, 114 Stat. 307, provided that: “The amendment made by this section [amending this section] takes effect on the earlier of—
“(1) the date of enactment of this Act [May 18, 2000]; or
“(2) December 19, 1999.”

CHAPTER 36—FOREST AND RANGELAND RENEWABLE RESOURCES PLANNING

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SUBCHAPTER I—PLANNING

§ 1600. Congressional findings

The Congress finds that—

- (1) the management of the Nation’s renewable resources is highly complex and the uses, demand for, and supply of the various resources are subject to change over time;
- (2) the public interest is served by the Forest Service, Department of Agriculture, in co-

operation with other agencies, assessing the Nation’s renewable resources, and developing and preparing a national renewable resource program, which is periodically reviewed and updated;

(3) to serve the national interest, the renewable resource program must be based on a comprehensive assessment of present and anticipated uses, demand for, and supply of renewable resources from the Nation’s public and private forests and rangelands, through analysis of environmental and economic impacts, coordination of multiple use and sustained yield opportunities as provided in the Multiple-Use Sustained-Yield Act of 1960 (74 Stat. 215; 16 U.S.C. 528–531), and public participation in the development of the program;

(4) the new knowledge derived from coordinated public and private research programs will promote a sound technical and ecological base for effective management, use, and protection of the Nation’s renewable resources;

(5) inasmuch as the majority of the Nation’s forests and rangeland is under private, State, and local governmental management and the Nation’s major capacity to produce goods and services is based on these nonfederally managed renewable resources, the Federal Government should be a catalyst to encourage and assist these owners in the efficient long-term use and improvement of these lands and their renewable resources consistent with the principles of sustained yield and multiple use;

(6) the Forest Service, by virtue of its statutory authority for management of the National Forest System, research and cooperative programs, and its role as an agency in the Department of Agriculture, has both a responsibility and an opportunity to be a leader in assuring that the Nation maintains a natural resource conservation posture that will meet the requirements of our people in perpetuity; and

(7) recycled timber product materials are as much a part of our renewable forest resources as are the trees from which they originally came, and in order to extend our timber and timber fiber resources and reduce pressures for timber production from Federal lands, the Forest Service should expand its research in the use of recycled and waste timber product materials, develop techniques for the substitution of these secondary materials for primary materials, and promote and encourage the use of recycled timber product materials.

(Pub. L. 93–378, §2, as added Pub. L. 94–588, §2, Oct. 22, 1976, 90 Stat. 2949.)

REFERENCES IN TEXT

The Multiple-Use Sustained-Yield Act of 1960, referred to in par. (3), is Pub. L. 86–517, June 12, 1960, 74 Stat. 215, as amended, which is classified generally to sections 528 to 531 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 528 of this title and Tables.

SHORT TITLE OF 1988 AMENDMENTS

Pub. L. 100–521, §1, Oct. 24, 1988, 102 Stat. 2601, provided that: “This Act [amending section 1642 of this title and enacting provisions set out as a note under section 1642 of this title] may be cited as the ‘Forest Ecosystems and Atmospheric Pollution Research Act of 1988.’”

“(A) promptly mailing notice about the proposed action to any person who has requested it in writing, and to persons who are known to have participated in the decisionmaking process; and,

“(B)(i) in the case of an action taken by the Chief of the Forest Service, publishing notice of action in the Federal Register; or

“(ii) in the case of any other action referred to in subsection (a), publishing notice of the action in a newspaper of general circulation that has previously been identified in the Federal Register as the newspaper in which notice under this paragraph may be published.

“(2) COMMENT.—The Secretary shall accept comments on the proposed action within 30 days after publication of the notice in accordance with paragraph (1).

“(c) RIGHT TO APPEAL.—Not later than 45 days after the date of issuance of a decision of the Forest Service concerning actions referred to in subsection (a), a person who was involved in the public comment process under subsection (b) through submission of written or oral comments or by otherwise notifying the Forest Service of their interest in the proposed action may file an appeal.

“(d) DISPOSITION OF AN APPEAL.—

“(1) INFORMAL DISPOSITION.—

“(A) IN GENERAL.—Subject to subparagraph (B), a designated employee of the Forest Service shall offer to meet with each individual who files an appeal in accordance with subsection (c) and attempt to dispose of the appeal.

“(B) TIME AND LOCATION OF THE MEETING.—Each meeting in accordance with subparagraph (A) shall take place—

“(i) not later than 15 days after the closing date for filing an appeal; and

“(ii) at a location designated by the Chief of the Forest Service that is in the vicinity of the lands affected by the decision.

“(2) FORMAL REVIEW.—If the appeal is not disposed of in accordance with paragraph (1), an appeals review officer designated by the Chief of the Forest Service shall review the appeal and recommend in writing, to the official responsible for deciding the appeal, the appropriate disposition of the appeal. The official responsible for deciding the appeal shall then decide the appeal. The appeals review officer shall be a line officer at least at the level of the agency official who made the initial decision on the project or activity that is under appeal, who has not participated in the initial decision and will not be responsible for implementation of the initial decision after the appeal is decided.

“(3) TIME FOR DISPOSITION.—Disposition of appeals under this subsection shall be completed not later than 30 days after the closing date for filing of an appeal, provided that the Forest Service may extend the closing date by an additional 15 days.

“(4) If the Secretary fails to decide the appeal within the 45-day period, the decision on which the appeal is based shall be deemed to be a final agency action for the purpose of chapter 7 of title 5, United States Code.

“(e) STAY.—Unless the Chief of the Forest Service determines that an emergency situation exists with respect to a decision of the Forest Service, implementation of the decision shall be stayed during the period beginning on the date of the decision—

“(1) for 45 days, if an appeal is not filed, or

“(2) for an additional 15 days after the date of the disposition of an appeal under this section, if the agency action is deemed final under subsection (d)(4).”

§ 1613. Promulgation of regulations

The Secretary of Agriculture shall prescribe such regulations as he determines necessary and desirable to carry out the provisions of this subchapter.

(Pub. L. 93-378, §15, as added Pub. L. 94-588, §11, Oct. 22, 1976, 90 Stat. 2958.)

TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Secretary or other official in Department of Agriculture under this subchapter to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 1601 of this title.

§ 1614. Severability

If any provision of this subchapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this subchapter and of the application of such provision to other persons and circumstances shall not be affected thereby.

(Pub. L. 93-378, §16, as added Pub. L. 94-588, §11, Oct. 22, 1976, 90 Stat. 2958.)

SUBCHAPTER II—RESEARCH

§ 1641. Findings and purpose

(a) Findings

Congress finds the following:

(1) Forests and rangeland, and the resources of forests and rangeland, are of strategic economic and ecological importance to the United States, and the Federal Government has an important and substantial role in ensuring the continued health, productivity, and sustainability of the forests and rangeland of the United States.

(2) Over 75 percent of the productive commercial forest land in the United States is privately owned, with some 60 percent owned by small nonindustrial private owners. These 10,000,000 nonindustrial private owners are critical to providing both commodity and non-commodity values to the citizens of the United States.

(3) The National Forest System manages only 17 percent of the commercial timberland of the United States, with over half of the standing softwoods inventory located on that land. Dramatic changes in Federal agency policy during the early 1990's have significantly curtailed the management of this vast timber resource, causing abrupt shifts in the supply of timber from public to private ownership. As a result of these shifts in supply, some 60 percent of total wood production in the United States is now coming from private forest land in the southern United States.

(4) At the same time that pressures are building for the removal of even more land from commercial production, the Federal Government is significantly reducing its commitment to productivity-related research regarding forests and rangeland, which is critically needed by the private sector for the sustained management of remaining available timber and forage resources for the benefit of all species.

(5) Uncertainty over the availability of the United States timber supply, increasing regulatory burdens, and the lack of Federal Government support for research is causing do-

mestic wood and paper producers to move outside the United States to find reliable sources of wood supplies, which in turn results in a worsening of the United States trade balance, the loss of employment and infrastructure investments, and an increased risk of infestations of exotic pests and diseases from imported wood products.

(6) Wood and paper producers in the United States are being challenged not only by shifts in Federal Government policy, but also by international competition from tropical countries where growth rates of trees far exceed those in the United States. Wood production per acre will need to quadruple from 1996 levels for the United States forestry sector to remain internationally competitive on an ever decreasing forest land base.

(7) Better and more frequent forest inventorying and analysis is necessary to identify productivity-related forestry research needs and to provide forest managers with the current data necessary to make timely and effective management decisions.

(b) Relationship to other law

This subchapter shall be deemed to complement the policies and direction set forth in the Forest and Rangeland Renewable Resources Planning Act of 1974 [16 U.S.C. 1600 et seq.].

(c) Purpose

It is the purpose of this subchapter to authorize the Secretary to expand research activities to encompass international forestry and natural resource issues on a global scale.

(Pub. L. 95-307, §2, June 30, 1978, 92 Stat. 353; Pub. L. 101-513, title VI, §611(a)(1), formerly §607(a)(1), Nov. 5, 1990, 104 Stat. 2072, renumbered §611(a)(1), Pub. L. 102-574, §2(a)(1), Oct. 29, 1992, 106 Stat. 4593; Pub. L. 105-185, title II, §253(a), June 23, 1998, 112 Stat. 558.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this Act", meaning Pub. L. 95-307, June 2, 1978, 92 Stat. 353, as amended, known as the Forest and Rangeland Renewable Resources Research Act of 1978, which enacted this subchapter, repealed sections 581 to 581i of this title, and enacted provisions set out as a note under section 1641 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1600 of this title and Tables.

The Forest and Rangeland Renewable Resources Planning Act of 1974, referred to in subsec. (b), is Pub. L. 93-378, Aug. 17, 1974, 88 Stat. 476, as amended, which is classified generally to subchapter I (§1600 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1600 of this title and Tables.

AMENDMENTS

1998—Pub. L. 105-185 inserted section catchline, added subsec. (a), and struck out former subsec. (a) which read as follows:

"(1) Congress finds that scientific discoveries and technological advances must be made and applied to support the protection, management, and utilization of the Nation's renewable resources. It is the purpose of this subchapter to authorize the Secretary of Agriculture (hereinafter in this subchapter referred to as the 'Secretary') to implement a comprehensive program of forest and rangeland renewable resources research and dissemination of the findings of such research.

"(2) Congress further finds that the forest and rangeland renewable resources of the world are threatened by deforestation due to conversion to agriculture of lands better suited to other uses, over-grazing, over-harvesting, and other causes that pose a direct adverse threat to people, the global environment, and the world economy."

1990—Subsecs. (a), (c). Pub. L. 101-513 designated existing provisions of subsec. (a) as par. (1), added par. (2), and added subsec. (c).

EFFECTIVE DATE

Section 9 of Pub. L. 95-307 which provided that Pub. L. 95-307 (enacting this subchapter, repealing sections 581 to 581i of this title, and enacting provisions set out as a note under section 1600 of this title) is effective Oct. 1, 1978, was amended generally by Pub. L. 101-624 and is classified to section 1648 of this title.

SHORT TITLE

For short title of Pub. L. 95-307, June 30, 1978, 92 Stat. 353, as the Forest and Rangeland Renewable Resources Research Act of 1978, see Short Title of 1978 Amendment note set out under section 1600 of this title.

§ 1642. Investigations, experiments, tests, and other activities

(a) Authorization; scope and purposes of activities

The Secretary is authorized to conduct, support, and cooperate in investigations, experiments, tests, and other activities the Secretary deems necessary to obtain, analyze, develop, demonstrate, and disseminate scientific information about protecting, managing, and utilizing forest and rangeland renewable resources in rural, suburban, and urban areas. The activities conducted, supported, or cooperated in by the Secretary under this subchapter shall include, but not be limited to, the five major areas of renewable resource research identified in paragraphs (1) through (5) of this subsection.

(1) Renewable resource management research shall include, as appropriate, research activities related to managing, reproducing, planting, and growing vegetation on forests and rangelands for timber, forage, water, fish and wildlife, esthetics, recreation, wilderness, energy production, activities related to energy conservation, and other purposes, including activities for encouraging improved reforestation of forest lands from which timber has been harvested; determining the role of forest and rangeland management in the productive use of forests and rangelands, in diversified agriculture, and in mining, transportation, and other industries; and developing alternatives for the management of forests and rangelands that will make possible the most effective use of their multiple products and services.

(2) Renewable resource environmental research shall include, as appropriate, research activities related to understanding and managing surface and subsurface water flow, preventing and controlling erosion, and restoring damaged or disturbed soils on forest and rangeland watersheds; maintaining and improving wildlife and fish habitats; managing vegetation to reduce air and water pollution, provide amenities, and for other purposes; and understanding, predicting, and modifying weather, climatic, and other environmental conditions that affect the protection and management of forests and rangelands.

(3) Renewable resource protection research shall include, as appropriate, research activities related to protecting vegetation and other forest and rangeland resources, including threatened and endangered flora and fauna, as well as wood and wood products in storage or use, from fires, insects, diseases, noxious plants, animals, air pollutants, and other agents through biological, chemical, and mechanical control methods and systems; and protecting people, natural resources, and property from fires in rural areas.

(4) Renewable resource utilization research shall include, as appropriate, research activities related to harvesting, transporting, processing, marketing, distributing, and utilizing wood and other materials derived from forest and rangeland renewable resources; recycling and fully utilizing wood fiber; producing and conserving energy; and testing forest products, including necessary fieldwork associated therewith.

(5) Renewable resource assessment research shall include, as appropriate, research activities related to developing and applying scientific knowledge and technology in support of the survey and analysis of forest and rangeland renewable resources described in subsection (b) of this section.

(b) Development of periodic Renewable Resource Assessment through survey and analysis of conditions; implementation; authorization of appropriations

(1) To ensure the availability of adequate data and scientific information for development of the periodic Renewable Resource Assessment provided for in section 1601 of this title, the Secretary of Agriculture shall make and keep current a comprehensive survey and analysis of the present and prospective conditions of and requirements for renewable resources of the forests and rangelands of the United States and of the supplies of such renewable resources, including a determination of the present and potential productivity of the land, and of such other facts as may be necessary and useful in the determination of ways and means needed to balance the demand for and supply of these renewable resources, benefits, and uses in meeting the needs of the people of the United States. The Secretary shall conduct the survey and analysis under such plans as the Secretary may determine to be fair and equitable, and cooperate with appropriate officials of each State and, either through them or directly, with private or other entities.

(2) In implementing this subsection, the Secretary is authorized to develop and implement improved methods of survey and analysis of forest inventory information, for which purposes there are hereby authorized to be appropriated annually \$10,000,000.

(c) Program of research and study relative to health and productivity of domestic forest ecosystems; advisory committee; reports

(1) The Secretary, acting through the United States Forest Service, shall establish not later than 180 days after October 24, 1988, a 10-year program (hereinafter in this subsection referred to as the "Program") to—

(A) increase the frequency of forest inventories in matters that relate to atmospheric pollution and conduct such surveys as are necessary to monitor long-term trends in the health and productivity of domestic forest ecosystems;

(B) determine the scope of the decline in the health and productivity of domestic forest ecosystems;

(C) accelerate and expand existing research efforts (including basic forest ecosystem research) to evaluate the effects of atmospheric pollutants on forest ecosystems and their role in the decline in domestic forest health and productivity;

(D) study the relationship between atmospheric pollution and other climatological, chemical, physical, and biological factors that may affect the health and productivity of domestic forest ecosystems;

(E) develop recommendations for solving or mitigating problems related to the effects of atmospheric pollution on the health and productivity of domestic forest ecosystems;

(F) foster cooperation among Federal, State, and private researchers and encourage the exchange of scientific information on the effects of atmospheric pollutants on forest ecosystems among the United States, Canada, European nations, and other nations;

(G) support the long-term funding of research programs and related efforts to determine the causes of declines in the health and productivity of domestic forest ecosystems and the effects of atmospheric pollutants on the health and productivity of domestic forest ecosystems; and

(H) enlarge the Eastern Hardwood Cooperative by devoting additional resources to field analysis of the response of hardwood species to atmospheric pollution, and other factors that may affect the health and productivity of these ecosystems.

(2) The Secretary shall establish a committee to advise the Secretary in developing and carrying out the Program, which shall be composed of scientists with training and experience in various disciplines, including atmospheric, ecological, and biological sciences. Such scientists shall be selected from among individuals who are actively performing research for Federal or State agencies or for private industries, institutions, or organizations.

(3) The Secretary shall coordinate the Program with existing research efforts of Federal and State agencies and private industries, institutions, or organizations.

(4) The Secretary shall submit to the President and to Congress the following reports:

(A) Not less than 30 days before establishing the Program, the Secretary shall submit an initial program report—

(i) discussing existing information about declining health and productivity of forest ecosystems on public and private lands in North America and Europe;

(ii) outlining the findings and status of all current research and monitoring efforts in North America and Europe on the causes and effects of atmospheric pollution on the health and productivity of forest ecosystems;

- (iii) describing the Program; and
- (iv) estimating the cost of implementing the Program for each fiscal year of its duration.

(B) Not later than January 15, 1990, and January 15 of each year thereafter, during which the Program is in operation following the year in which the initial program report is submitted, the Secretary shall submit an annual report—

(i) updating information about declining health and productivity of forest ecosystems on public and private lands in North America and Europe;

(ii) updating the findings and status of all current research and monitoring efforts in North America and Europe on the causes and effects of atmospheric pollution on the health and productivity of forest ecosystems, including efforts conducted under the Program;

(iii) recommending additional research and monitoring efforts to be undertaken under the Program to determine the effects of atmospheric pollution on the health and productivity of domestic forest ecosystems; and

(iv) recommending methods for solving or mitigating problems stemming from the effects of atmospheric pollution on the health and productivity of domestic forest ecosystems.

(C) Not later than 10 years after the date on which the initial program report is submitted, the Secretary shall submit a final report—

(i) reviewing existing information about declining health and productivity of forest ecosystems on public and private lands in North America and Europe;

(ii) reviewing the nature and findings of all research and monitoring efforts conducted under the Program and any other relevant research and monitoring efforts related to the effects of atmospheric pollution on forest ecosystem; and

(iii) making final recommendations for solving or mitigating problems stemming from the effects of atmospheric pollution on the health and productivity of domestic forest ecosystems.

(d) High priority forestry and rangeland research and education

(1) In general

The Secretary may conduct, support, and cooperate in forestry and rangeland research and education that is of the highest priority to the United States and to users of public and private forest land and rangeland in the United States.

(2) Priorities

The research and education priorities include the following:

(A) The biology of forest organisms and rangeland organisms.

(B) Functional characteristics and cost-effective management of forest and rangeland ecosystems.

(C) Interactions between humans and forests and rangeland.

(D) Wood and forage as a raw material.

(E) International trade, competition, and cooperation.

(3) Northeastern States research cooperative

At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary may cooperate with the northeastern States of New Hampshire, New York, Maine, and Vermont, land-grant colleges and universities of those States, natural resources and forestry schools of those States, other Federal agencies, and other interested persons in those States to coordinate and improve ecological and economic research relating to agricultural research, extension, and education, including—

(A) research on ecosystem health, forest management, product development, economics, and related fields;

(B) research to assist those States and landowners in those States to achieve sustainable forest management;

(C) technology transfer to the wood products industry of technologies that promote efficient processing, pollution prevention, and energy conservation;

(D) dissemination of existing and new information to landowners, public and private resource managers, State forest citizen advisory committees, and the general public through professional associations, publications, and other information clearinghouse activities; and

(E) analysis of strategies for the protection of areas of outstanding ecological significance or high biological diversity, and strategies for the provision of important recreational opportunities and traditional uses, including strategies for areas identified through State land conservation planning processes.

(e) Forest inventory and analysis

(1) Program required

In compliance with other applicable provisions of law, the Secretary shall establish a program to inventory and analyze, in a timely manner, public and private forests and their resources in the United States.

(2) Annual State inventory

(A) In general

Not later than the end of each full fiscal year beginning after June 23, 1998, the Secretary shall prepare for each State, in cooperation with the State forester for the State, an inventory of forests and their resources in the State.

(B) Sample plots

For purposes of preparing the inventory for a State, the Secretary shall measure annually 20 percent of all sample plots that are included in the inventory program for that State.

(C) Compilation of inventory

On completion of the inventory for a year, the Secretary shall make available to the public a compilation of all data collected for that year from measurements of sample

plots as well as any analysis made of the samples.

(3) 5-year reports

Not more often than every 5 full fiscal years after June 23, 1998, the Secretary shall prepare, publish, and make available to the public a report, prepared in cooperation with State foresters, that—

(A) contains a description of each State inventory of forests and their resources, incorporating all sample plot measurements conducted during the 5 years covered by the report;

(B) displays and analyzes on a nationwide basis the results of the annual reports required by paragraph (2); and

(C) contains an analysis of forest health conditions and trends over the previous 2 decades, with an emphasis on such conditions and trends during the period subsequent to the immediately preceding report under this paragraph.

(4) National standards and definitions

To ensure uniform and consistent data collection for all forest land that is publicly or privately owned and for each State, the Secretary shall develop, in consultation with State foresters and Federal land management agencies not under the jurisdiction of the Secretary, and publish national standards and definitions to be applied in inventorying and analyzing forests and their resources under this subsection. The standards shall include a core set of variables to be measured on all sample plots under paragraph (2) and a standard set of tables to be included in the reports under paragraph (3).

(5) Protection for private property rights

The Secretary shall obtain authorization from property owners prior to collecting data from sample plots located on private property pursuant to paragraphs (2) and (3).

(6) Strategic plan

Not later than 180 days after June 23, 1998, the Secretary shall prepare and submit to Congress a strategic plan to implement and carry out this subsection, including the annual updates required by paragraph (2) and the reports required by paragraph (3), that shall describe in detail—

(A) the financial resources required to implement and carry out this subsection, including the identification of any resources required in excess of the amounts provided for forest inventorying and analysis in recent appropriations Acts;

(B) the personnel necessary to implement and carry out this subsection, including any personnel in addition to personnel currently performing inventorying and analysis functions;

(C) the organization and procedures necessary to implement and carry out this subsection, including proposed coordination with Federal land management agencies and State foresters;

(D) the schedules for annual sample plot measurements in each State inventory re-

quired by paragraph (2) within the first 5-year interval after June 23, 1998;

(E) the core set of variables to be measured in each sample plot under paragraph (2) and the standard set of tables to be used in each State and national report under paragraph (3); and

(F) the process for employing, in coordination with the Secretary of Energy and the Administrator of the National Aeronautics and Space Administration, remote sensing, global positioning systems, and other advanced technologies to carry out this subsection, and the subsequent use of the technologies.

(Pub. L. 95-307, §3, June 30, 1978, 92 Stat. 353; Pub. L. 96-294, title II, §254, June 30, 1980, 94 Stat. 707; Pub. L. 100-521, §3, Oct. 24, 1988, 102 Stat. 2601; Pub. L. 101-624, title XII, §1241(a), Nov. 28, 1990, 104 Stat. 3544; Pub. L. 105-185, title II, §253(b), (c), June 23, 1998, 112 Stat. 559; Pub. L. 105-277, div. A, §101(a) [title VII, §753(a)], Oct. 21, 1998, 112 Stat. 2681, 2681-32.)

REFERENCES IN TEXT

The Federal revenue codes, referred to in subsec. (d)(2), are classified generally to Title 26, Internal Revenue Code.

AMENDMENTS

1998—Subsec. (d). Pub. L. 105-185, §253(b), added subsec. (d) and struck out former subsec. (d) which read as follows: “The Secretary is authorized to conduct, support, and cooperate in studies and other activities the Secretary deems necessary to—

“(1) evaluate renewable resource management problems associated with urban-forest interface;

“(2) assess effects of changes in Federal revenue codes on private forest management and investment; and

“(3) develop improved delivery systems for information and technical assistance provided to private landowners.”

Subsec. (d)(3). Pub. L. 105-277 substituted “At the request of the Governor of the State of Maine, New Hampshire, New York, or Vermont, the Secretary” for “The Secretary”.

Subsec. (e). Pub. L. 105-185, §253(c), added subsec. (e). 1990—Subsec. (a)(1). Pub. L. 101-624, §1241(a)(1), inserted “, including activities for encouraging improved reforestation of forest lands from which timber has been harvested” after “purposes”.

Subsec. (b). Pub. L. 101-624, §1241(a)(2), designated existing provisions as par. (1) and added par. (2).

Subsec. (d). Pub. L. 101-624, §1241(a)(3), added subsec. (d).

1988—Subsec. (c). Pub. L. 100-521 added subsec. (c).

1980—Subsec. (a)(1). Pub. L. 96-294, §254(1), inserted applicability to energy production and energy conservation activities.

Subsec. (a)(4). Pub. L. 96-294, §254(2), inserted applicability to producing and conserving energy.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective June 23, 1998, see section 101(a) [title VII, §753(f)] of Pub. L. 105-277, set out as a note under section 343 of Title 7, Agriculture.

SOUTHERN FOREST REGENERATION PROGRAM

Section 1242 of Pub. L. 101-624 provided that:

“(a) ESTABLISHMENT.—The Secretary of Agriculture shall make a grant to a State for the establishment, within such State, of a center, to be known as the ‘Southern Forest Regeneration Center’ (hereafter re-

ferred to in this section as the 'Center'), to study forest regeneration problems and forest productivity in the southern region of the United States.

“(b) DUTIES OF CENTER.—The Center shall study forest regeneration problems and forest productivity in the southern region of the United States, including—

“(1) nursery management concerns that will lead to improved seedling quality;

“(2) forest management practices that account for environmental stresses; and

“(3) the development of low-cost forest regeneration methods that provide options for wood products, species diversity, wildlife habitat, and production of clean air and water.

“(c) ESTABLISHMENT OF OTHER PROGRAMS.—The Secretary of Agriculture may establish other programs in other regions of the United States, or a comprehensive National program, to carry out the purposes of this section as the Secretary determines appropriate.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.”

SEMIARID AGROFORESTRY RESEARCH CENTER

Section 1243 of Pub. L. 101-624 provided that:

“(a) SEMIARID AGROFORESTRY RESEARCH, DEVELOPMENT, AND DEMONSTRATION CENTER.—The Secretary of Agriculture shall establish at the Forestry Sciences Laboratory of the United States Forest Service, in Lincoln, Nebraska, a Semiarid Agroforestry Research, Development, and Demonstration Center (hereafter referred to in this section as the 'Center') and appoint a Director to manage and coordinate the program established at the Center under subsection (b).

“(b) PROGRAM.—The Secretary shall establish a program at the Center and seek the participation of Federal or State governmental entities, land-grant colleges or universities, State agricultural experiment stations, State and private foresters, the National Arbor Day Foundation, and other nonprofit foundations in such program to conduct or assist research, investigations, studies, and surveys to—

“(1) develop sustainable agroforestry systems on semiarid lands that minimize topsoil loss and water contamination and stabilize or enhance crop productivity;

“(2) adapt, demonstrate, document, and model the effectiveness of agroforestry systems under different farming systems and soil or climate conditions;

“(3) develop dual use agroforestry systems compatible with paragraphs (1) and (2) which would provide high-value forestry products for commercial sale from semiarid land;

“(4) develop and improve the drought and pest resistance characteristics of trees for conservation forestry and agroforestry applications in semiarid regions, including the introduction and breeding of trees suited for the Great Plains region of the United States;

“(5) develop technology transfer programs that increase farmer and public acceptance of sustainable agroforestry systems;

“(6) develop improved windbreak and shelterbelt technologies for drought preparedness, soil and water conservation, environmental quality, and biological diversity on semiarid lands;

“(7) develop technical and economic concepts for sustainable agroforestry on semiarid lands, including the conduct of economic analyses of the costs and benefits of agroforestry systems and the development of models to predict the economic benefits under soil or climate conditions;

“(8) provide international leadership in the development and exchange of agroforestry practices on semiarid lands worldwide;

“(9) support research on the effects of agroforestry systems on semiarid lands in mitigating nonpoint source water pollution;

“(10) support research on the design, establishment, and maintenance of tree and shrub plantings to regulate the deposition of snow along roadways; and

“(11) conduct sociological, demographic, and economic studies as needed to develop strategies for increasing the use of forestry conservation and agroforestry practices.

“(c) INFORMATION COLLECTION AND DISSEMINATION.—The Secretary shall establish at the Center a program, to be known as the National Clearinghouse on Agroforestry Conservation and Promotion to—

“(1) collect, analyze, and disseminate information on agroforestry conservation technologies and practices; and

“(2) promote the use of such information by landowners and those organizations associated with forestry and tree promotion.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$5,000,000 annually to carry out this section.”

FOREST ECOSYSTEMS AND ATMOSPHERIC POLLUTION RESEARCH; CONGRESSIONAL FINDINGS

Section 2 of Pub. L. 100-521 provided that: “Congress finds that—

“(1) the health and productivity of forests in certain regions of the United States are declining;

“(2) there is a special concern about the decline of certain hardwood species, particularly sugar maples and oaks, in the eastern United States and the effects of atmospheric pollutants on the health and productivity of these forests;

“(3) declines in the productivity of certain commercially important Southern pine species have been measured;

“(4) existing research indicates that atmospheric pollution, including ozone, acidic deposition, and heavy metals, may contribute to this decline;

“(5) there is an urgent need to expand and better coordinate existing Federal, State, and private research, including research by private industry, to determine the cause of changes in the health and productivity of domestic forest ecosystems and to monitor and evaluate the effects of atmospheric pollutants on such ecosystems; and

“(6) such research and monitoring should not impede efforts to control atmospheric pollutants.”

§ 1643. Implementation of provisions

(a) Establishment and maintenance of research facilities; acquisition, expenditures, etc., for property

In implementing this subchapter, the Secretary is authorized to establish and maintain a system of experiment stations, research laboratories, experimental areas, and other forest and rangeland research facilities. The Secretary is authorized, with donated or appropriated funds, to acquire by lease, donation, purchase, exchange, or otherwise, land or interests in land within the United States needed to implement this subchapter, to make necessary expenditures to examine, appraise, and survey such property, and to do all things incident to perfecting title thereto in the United States.

(b) Acceptance, holding, and administration of gifts, donations, and bequests; use and investment of gifts, proceeds, etc.; funding requirements

In implementing this subchapter, the Secretary is authorized to accept, hold, and administer gifts, donations, and bequests of money, real property, or personal property from any source not otherwise prohibited by law and to use such gifts, donations, and bequests to (1) establish or operate any forest and rangeland research facility within the United States, or (2)

perform any forest and rangeland renewable resource research activity authorized by this subchapter. Such gifts, donations, and bequests, or the proceeds thereof, and money appropriated for these purposes shall be deposited in the Treasury in a special fund. At the request of the Secretary, the Secretary of the Treasury may invest or reinvest any money in the fund that in the opinion of the Secretary is not needed for current operations. Such investments shall be in public debt securities with maturities suitable for the needs of the fund and bearing interest at prevailing market rates. There are hereby authorized to be expended from such fund such amounts as may be specified in annual appropriation Acts, which shall remain available until expended.

(c) Cooperation with international, Federal, State, and other governmental agencies, public and private agencies, etc.; funding requirements for contributions from cooperators

In implementing this subchapter, the Secretary may cooperate with international, Federal, State, and other governmental agencies, with public or private agencies, institutions, universities, and organizations, and with businesses and individuals in the United States and in other countries. The Secretary may receive money and other contributions from cooperators under such conditions as the Secretary may prescribe. Any money contributions received under this subsection shall be credited to the applicable appropriation or fund to be used for the same purposes and shall remain available until expended as the Secretary may direct for use in conducting research activities authorized by this subchapter and in making refunds to contributors.

(Pub. L. 95-307, §4(a)-(c), June 30, 1978, 92 Stat. 354, 355; Pub. L. 101-513, title VI, §611(a)(2), formerly §607(a)(2), Nov. 5, 1990, 104 Stat. 2072, renumbered §611(a)(2), Pub. L. 102-574, §2(a)(1), Oct. 29, 1992, 106 Stat. 4593.)

AMENDMENTS

1990—Subsec. (c). Pub. L. 101-513, which directed amendment of “the first section of” this subsection by inserting “international,” before “Federal”, was executed by making the insertion in the first sentence of this subsection to reflect the probable intent of Congress.

§ 1644. Forestry and rangeland competitive research grants

(a) Competitive grant authority

In addition to any grants made under other laws, the Secretary is authorized to make competitive grants that will further research activities authorized by this subchapter to Federal, State, and other governmental agencies, public or private agencies, institutions, universities, and organizations, and businesses and individuals in the United States. In making these grants, the Secretary shall emphasize basic and applied research activities that are important to achieving the purposes of this subchapter, and shall obtain, through review by qualified scientists and other methods, participation in research activities by scientists throughout the

United States who have expertise in matters related to forest and rangeland renewable resources. Grants under this section shall be made at the discretion of the Secretary under whatever conditions the Secretary may prescribe, after publicly soliciting research proposals, allowing sufficient time for submission of the proposals, and considering qualitative, quantitative, financial, administrative, and other factors that the Secretary deems important in judging, comparing, and accepting the proposals. The Secretary may reject any or all proposals received under this section if the Secretary determines that it is in the public interest to do so.

(b) Emphasis on certain high priority forestry research

The Secretary may use up to 5 percent of the amounts made available for research under section 1642 of this title to make competitive grants regarding forestry research in the high priority research areas identified under section 1642(d) of this title.

(c) Emphasis on certain high priority rangeland research

The Secretary may use up to 5 percent of the amounts made available for research under section 1642 of this title to make competitive grants regarding rangeland research in the high priority research areas identified under section 1642(d) of this title.

(d) Priorities

In making grants under subsections (b) and (c) of this section, the Secretary shall give priority to research proposals under which—

(1) the proposed research will be collaborative research organized through a center of scientific excellence;

(2) the applicant agrees to provide matching funds (in the form of direct funding or in-kind support) in an amount equal to not less than 50 percent of the grant amount; and

(3) the proposed research will be conducted as part of an existing private and public partnership or cooperative research effort and involves several interested research partners.

(Pub. L. 95-307, §5, June 30, 1978, 92 Stat. 355; Pub. L. 105-185, title II, §253(d), June 23, 1998, 112 Stat. 561.)

AMENDMENTS

1998—Pub. L. 105-185 substituted section catchline for former section catchline, designated existing provisions as subsec. (a) and inserted heading, and added subsecs. (b) to (d).

§ 1645. General provisions

(a) Availability of funds to cooperators and grantees

The Secretary may make funds available to cooperators and grantees under this subchapter without regard to the provisions of section 3324(a) and (b) of title 31, which prohibits advances of public money.

(b) Coordination of cooperative aid and grants with other aid and grant authorities

To avoid duplication, the Secretary shall coordinate cooperative aid and grants under this

subchapter with cooperative aid and grants the Secretary makes under any other authority.

(c) Dissemination of knowledge and technology developed from research activities; cooperation with specified entities

The Secretary shall use the authorities and means available to the Secretary to disseminate the knowledge and technology developed from research activities conducted under or supported by this subchapter. In meeting this responsibility, the Secretary shall cooperate, as the Secretary deems appropriate, with the entities identified in subsection (d)(3) of this section and with others.

(d) Additional implementative authorities

In implementing this subchapter, the Secretary, as the Secretary deems appropriate and practical, shall—

(1) use, and encourage cooperators and grantees to use, the best available scientific skills from a variety of disciplines within and outside the fields of agriculture and forestry;

(2) seek, and encourage cooperators and grantees to seek, a proper mixture of short-term and long-term research and a proper mixture of basic and applied research;

(3) avoid unnecessary duplication and coordinate activities under this section among agencies of the Department of Agriculture and with other affected Federal departments and agencies, State agricultural experiment stations, State extension services, State foresters or equivalent State officials, forestry schools, and private research organizations; and

(4) encourage the development, employment, retention, and exchange of qualified scientists and other specialists through postgraduate, postdoctoral, and other training, national and international exchange of scientists, and other incentives and programs to improve the quality of forest and rangeland renewable resources research.

(e) Construction of statutory provisions

This subchapter shall be construed as supplementing all other laws relating to the Department of Agriculture and shall not be construed as limiting or repealing any existing law or authority of the Secretary except as specifically cited in this subchapter.

(f) Definitions

For the purposes of this subchapter, the terms “United States” and “State” shall include each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the territories and possessions of the United States.

(Pub. L. 95–307, § 6, June 30, 1978, 92 Stat. 355.)

CODIFICATION

In subsec. (a), “section 3324(a) and (b) of title 31” substituted for “section 3648 of the Revised Statutes (31 U.S.C. 529)” on authority of Pub. L. 97–258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 1646. Authorization of appropriations

There are authorized to be appropriated annually such sums as may be needed to implement this subchapter. Funds appropriated under this subchapter shall remain available until expended.

(Pub. L. 95–307, § 7, June 30, 1978, 92 Stat. 356.)

§ 1647. Other Federal programs

(a) Repeal of statutory authorities relating to investigation, experiments, and tests in reforestation and forest products

The Act of May 22, 1928, known as the McSweeney-McNary Act (45 Stat. 699–702, as amended; 16 U.S.C. 581, 581a, 581b–581i), is hereby repealed.

(b) Force and effect of cooperative and other agreements under repealed statutory authorities relating to investigation, etc., in reforestation and forest products

Contracts and cooperative and other agreements under the McSweeney-McNary Act shall remain in effect until revoked or amended by their own terms or under other provisions of law.

(c) Issuance of rules and regulations for implementation of provisions and coordination with agricultural research, extension, and teaching provisions

The Secretary is authorized to issue such rules and regulations as the Secretary deems necessary to implement the provisions of this subchapter and to coordinate this subchapter with title XIV of the Food and Agriculture Act of 1977 [7 U.S.C. 3101 et seq.].

(d) Availability of funds appropriated under repealed statutory authorities relating to investigation, etc., in reforestation and forest products

Funds appropriated under the authority of the McSweeney-McNary Act shall be available for expenditure for the programs authorized under this subchapter.

(Pub. L. 95–307, § 8, June 30, 1978, 92 Stat. 356.)

REFERENCES IN TEXT

The Food and Agriculture Act of 1977, referred to in subsec. (c), is Pub. L. 95–113, Sept. 29, 1977, 91 Stat. 913, as amended. Title XIV of the Food and Agriculture Act of 1977, known as the “National Agricultural Research, Extension, and Teaching Policy Act of 1977”, is classified principally to chapter 64 (§3101 et seq.) of Title 7, Agriculture. For complete classification of this title to the Code, see Short Title note set out under section 3101 of Title 7 and Tables.

§ 1648. Recycling research

(a) Findings

Congress finds that—

(1) the United States is amassing vast amounts of solid wastes, which is presenting an increasing problem for municipalities in locating suitable disposal sites;

(2) a large proportion of these wastes consists of paper and other wood wastes;

(3) less than one-third of these paper and wood wastes are recycled;

(4) additional recycling would result in reduced solid waste landfill disposal and would contribute to a reduced rate of removal of standing timber from forest lands; and

(5) additional research is needed to develop technological advances to address barriers to increased recycling of paper and wood wastes and utilization of products consisting of recycled materials.

(b) Recycling research program

The Secretary is authorized to conduct, support, and cooperate in an expanded wood fiber recycling research program, including the acquisition of necessary equipment. The Secretary shall seek to ensure that the program includes the cooperation and support of private industry and that program goals include the application of such research to industry and consumer needs.

(c) Authorization of appropriations

In addition to any other funds made available to implement section 1642 of this title, for the 5-year period beginning on October 1, 1990, there are authorized to be appropriated annually \$10,000,000 to implement this section.

(Pub. L. 95-307, § 9, as added Pub. L. 101-624, title XII, § 1241(b), Nov. 28, 1990, 104 Stat. 3544.)

PRIOR PROVISIONS

A prior section 9 of Pub. L. 95-307, June 30, 1978, 92 Stat. 357, provided the effective date for Pub. L. 95-307 and was set out as a note under section 1641 of this title, prior to general amendment by Pub. L. 101-624.

§ 1649. Forestry Student Grant Program

(a) Establishment

The Secretary shall establish a program, to be known as the “Forestry Student Grant Program” (hereafter referred to in this section as the “Program”), to provide assistance to expand the professional education of forestry, natural resources, and environmental scientists.

(b) Student grants

Under the Program the Secretary shall provide assistance for the establishment of a competitive grant fellowship program to assist graduate, and undergraduate minority and female, students attending institutions having programs in forestry and natural resources.

(c) Eligibility

The Secretary shall ensure that students concentrating in the following studies shall be eligible for assistance under subsection (b) of this section:

- (1) Forestry.
- (2) Biology and forest organisms.
- (3) Ecosystem function and management.
- (4) Human-forest interaction.
- (5) International trade, competition, and cooperation.
- (6) Wood as a raw material.
- (7) Economics and policy.

(d) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out this section.

(Pub. L. 95-307, § 10, as added Pub. L. 101-624, title XII, § 1252, Nov. 28, 1990, 104 Stat. 3553.)

§ 1650. Hardwood technology transfer and applied research

(a) Authority of Secretary

The Secretary of Agriculture (hereinafter the “Secretary”) is hereby and hereafter authorized to conduct technology transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource. This authority is in addition to any other authorities which may be available to the Secretary including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Act of 1978, as amended (16 U.S.C. 1600-1614).¹

(b) Grants, contracts, and cooperative agreements; gifts and donations

In carrying out this authority, the Secretary may enter into grants, contracts, and cooperative agreements with public and private agencies, organizations, corporations, institutions and individuals. The Secretary may accept gifts and donations pursuant to section 2269 of title 7 including gifts and donations from a donor that conducts business with any agency of the Department of Agriculture or is regulated by the Secretary of Agriculture.

(c) Use of assets of Wood Education and Resource Center; establishment of Institute of Hardwood Technology Transfer and Applied Research

The Secretary is hereby and hereafter authorized to operate and utilize the assets of the Wood Education and Resource Center (previously named the Robert C. Byrd Hardwood Technology Center in West Virginia) as part of a newly formed “Institute of Hardwood Technology Transfer and Applied Research” (hereinafter the “Institute”). The Institute, in addition to the Wood Education and Resource Center, will consist of a Director, technology transfer specialists from State and Private Forestry, the Forestry Sciences Laboratory in Princeton, West Virginia, and any other organizational unit of the Department of Agriculture as the Secretary deems appropriate. The overall management of the Institute will be the responsibility of the Forest Service, State and Private Forestry.

(d) Generation of revenue; deposit into Hardwood Technology Transfer and Applied Research Fund

The Secretary is hereby and hereafter authorized to generate revenue using the authorities provided herein. Any revenue received as part of the operation of the Institute shall be deposited into a special fund in the Treasury of the United States, known as the “Hardwood Technology Transfer and Applied Research Fund”, which shall be available to the Secretary until expended, without further appropriation, in furtherance of the purposes of this section, includ-

¹ So in original.

ing upkeep, management, and operation of the Institute and the payment of salaries and expenses.

(e) Authorization of appropriations

There are hereby and hereafter authorized to be appropriated such sums as necessary to carry out the provisions of this section.

(Pub. L. 106-113, div. B, §1000(a)(3) [title III, §332], Nov. 29, 1999, 113 Stat. 1535, 1501A-197.)

REFERENCES IN TEXT

The Cooperative Forestry Assistance Act of 1978, referred to in subsec. (a), is Pub. L. 95-313, July 1, 1978, 92 Stat. 365, as amended, which is classified principally to chapter 41 (§2101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2101 of this title and Tables.

CODIFICATION

Section was enacted as part of the Department of the Interior and Related Agencies Appropriations Act, 2000, and not as part of the Forest and Rangeland Renewable Resources Research Act of 1978 which comprises this subchapter.

HARDWOOD TECHNOLOGY TRANSFER AND APPLIED RESEARCH

Pub. L. 105-277, div. A, §101(e) [title III, §343], Oct. 21, 1998, 112 Stat. 2681-231, 2681-297, provided that:

“(a) The Secretary of Agriculture (hereinafter the ‘Secretary’) is hereby authorized to conduct technology transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource. This authority is in addition to any other authorities which may be available to the Secretary including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Act of 1978, as amended (16 U.S.C. 1600-1614).

“(b) In carrying out this authority, the Secretary may enter into grants, contracts, and cooperative agreements with public and private agencies, organizations, corporations, institutions and individuals. The Secretary may accept gifts and donations pursuant to the Act of October 10, 1978 (7 U.S.C. 2269) including gifts and donations from a donor that conducts business with any agency of the Department of Agriculture or is regulated by the Secretary of Agriculture.

“(c) The Secretary is authorized, on such terms and conditions as the Secretary may prescribe, to assume all rights, title, and interest, including all outstanding assets, of the Robert C. Byrd Hardwood Technology Center, Inc. (hereinafter the ‘Center’), a non-profit corporation existing under the laws of the State of West Virginia: *Provided*, That the Board of Directors of the Center requests such an action and dissolves the corporation consistent with the Articles of Incorporation and the laws of the State of West Virginia.

“(d) The Secretary is authorized to operate and utilize the assets of the Center as part of a newly formed ‘Institute of Hardwood Technology Transfer and Applied Research’ (hereinafter the ‘Institute’). The Institute, in addition to the Center, will consist of a Director, technology transfer specialists from State and Private Forestry, the Forestry Sciences Laboratory in Princeton, West Virginia, and any other organizational unit of the Department of Agriculture as the Secretary deems appropriate. The overall management of the Institute will be the responsibility of the USDA Forest Service, State and Private Forestry.

“(e) The Secretary is authorized to generate revenue using the authorities provided herein. Any revenue received as part of the operation of the Institute shall be deposited into a special fund in the Treasury of the United States, known as the ‘Hardwood Technology Transfer and Applied Research Fund’, which shall be

available to the Secretary until expended, without further appropriation, in furtherance of the purposes of this section, including upkeep, management, and operation of the Institute and the payment of salaries and expenses.

“(f) There are hereby authorized to be appropriated such sums as necessary to carry out the provisions of this section.”

SUBCHAPTER III—EXTENSION PROGRAMS

TERMINATION OF SUBCHAPTER

For termination of subchapter by section 8 of Pub. L. 95-306, see Effective and Termination Dates note set out under section 1671 of this title.

§ 1671. Congressional statement of findings

Congress finds that—

(1) the extension program of the Department of Agriculture and the extension activities of each State provide useful and productive educational programs for private forest and range landowners and processors and consumptive and nonconsumptive users of forest and rangeland renewable resources, and these educational programs complement research and assistance programs conducted by the Department of Agriculture;

(2) to meet national goals, it is essential that all forest and rangeland renewable resources (hereinafter in this subchapter referred to as “renewable resources”), including fish and wildlife, forage, outdoor recreation opportunities, timber, and water, be fully considered in designing educational programs for landowners, processors, and users;

(3) more efficient utilization and marketing of renewable resources extend available supplies of such resources, provide products to consumers at prices less than they would otherwise be, and promote reasonable returns on the investments of landowners, processors, and users;

(4) trees and forests in urban areas improve the esthetic quality, reduce noise, filter impurities from the air and add oxygen to it, save energy by moderating temperature extremes, control wind and water erosion, and provide habitat for wildlife; and

(5) trees and shrubs used as shelterbelts protect farm lands from wind and water erosion, promote moisture accumulation in the soil, and provide habitat for wildlife.

(Pub. L. 95-306, §2, June 30, 1978, 92 Stat. 349.)

EFFECTIVE AND TERMINATION DATES

Pub. L. 95-306, §8, June 30, 1978, 92 Stat. 352, as amended by Pub. L. 100-231, §2(2), Jan. 5, 1988, 101 Stat. 1565; Pub. L. 107-171, title VIII, §8101(b)(2), May 13, 2002, 116 Stat. 475, provided that: “The provisions of this Act [enacting this subchapter and provision set out as a note under section 1600 of this title] shall be effective for the period beginning October 1, 1978, and ending September 30, 2007.”

SHORT TITLE

For short title of Renewable Resources Extension Act of 1978, see Short Title of 1978 Amendment note set out under section 1600 of this title.