

110-234, title VIII, §8004, May 22, 2008, 122 Stat. 1284; Pub. L. 110-246, §4(a), title VIII, §8004, June 18, 2008, 122 Stat. 1664, 2045.)

REFERENCES IN TEXT

Section 2104(b) of this title, referred to in subsec. (h), was in the original a reference to section 7(b), meaning section 7(b) of Pub. L. 95-313, which has been translated as reading section 8(b) of Pub. L. 95-313 as the probable intent of Congress. Section 7(b) of Pub. L. 95-313, which is classified to section 2103c of this title, does not contain pars. (1) to (5).

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

PRIOR PROVISIONS

A prior section 13 of Pub. L. 95-313 was renumbered section 16 and is classified to section 2111 of this title.

AMENDMENTS

2008—Subsec. (d)(1). Pub. L. 110-246, §8004, substituted “the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau,” for “the Trust Territory of the Pacific Islands.”

1990—Subsec. (g). Pub. L. 101-624, §1224(3), made technical amendment to reference to section 2111 of this title to reflect renumbering of corresponding section of original act.

Subsec. (h). Pub. L. 101-513, which directed amendment of section 12 of Pub. L. 95-313 by adding a new subsec. (h), was executed to this section to reflect the probable intent of Congress.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

§ 2109a. Competitive allocation of funds to State foresters or equivalent State officials

(a) Competition

Beginning not later than 3 years after the date of the enactment of the Food, Conservation, and Energy Act of 2008, the Secretary shall competitively allocate a portion, to be determined by the Secretary, of the funds available under this chapter to State foresters or equivalent State officials.

(b) Determination

In determining the competitive allocation of funds under subsection (a), the Secretary shall consult with the Forest Resource Coordinating Committee established by section 2113(a) of this title.

(c) Priority

The Secretary shall give priority for funding to States for which the long-term State-wide forest resource strategies submitted under section 2101a(a)(2) of this title will best promote the national priorities specified in section 2101(c) of this title.

(Pub. L. 95-313, §13A, as added Pub. L. 110-234, title VIII, §8007, May 22, 2008, 122 Stat. 1285, and Pub. L. 110-246, §4(a), title VIII, §8007, June 18, 2008, 122 Stat. 1664, 2047.)

REFERENCES IN TEXT

The date of the enactment of the Food, Conservation, and Energy Act of 2008, referred to in subsec. (a), is the

date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning Pub. L. 95-313, July 1, 1978, 92 Stat. 365, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2101 of this title and Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of Title 7, Agriculture.

§ 2109b. Competitive allocation of funds for cooperative forest innovation partnership projects

(a) Cooperative forest innovation partnership projects

The Secretary may competitively allocate not more than 5 percent of the funds made available under this chapter to support innovative national, regional, or local education, outreach, or technology transfer projects that the Secretary determines would substantially increase the ability of the Department of Agriculture to address the national priorities specified in section 2101(c) of this title.

(b) Eligibility

Notwithstanding the eligibility limitations contained in this chapter, any State or local government, Indian tribe, land-grant college or university, or private entity shall be eligible to compete for funds to be competitively allocated under subsection (a).

(c) Cost-share requirement

In carrying out subsection (a), the Secretary shall not cover more than 50 percent of the total cost of a project under such subsection. In calculating the total cost of a project and contributions made with regard to the project, the Secretary shall include in-kind contributions.

(Pub. L. 95-313, §13B, as added Pub. L. 110-234, title VIII, §8008, May 22, 2008, 122 Stat. 1286, and Pub. L. 110-246, §4(a), title VIII, §8008, June 18, 2008, 122 Stat. 1664, 2047.)

REFERENCES IN TEXT

This chapter, referred to in subsections (a) and (b), was in the original “this Act”, meaning Pub. L. 95-313, July 1, 1978, 92 Stat. 365, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2101 of this title and Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of Title 7, Agriculture.

§ 2110. Statement of limitation

This chapter shall not authorize the Federal Government to regulate the use of private land or to deprive owners of land of their rights to property or to income from the sale of property, unless such property rights are voluntarily conveyed or limited by contract or other agreement. This chapter does not diminish in any way the rights and responsibilities of the States and political subdivisions of States.

(Pub. L. 95–313, § 14, formerly § 11, July 1, 1978, 92 Stat. 374; renumbered § 14 and amended Pub. L. 101–624, title XII, §§ 1215(1), 1221, Nov. 28, 1990, 104 Stat. 3525, 3540.)

PRIOR PROVISIONS

A prior section 14 of Pub. L. 95–313 was renumbered section 17 and is set out as a note under section 2101 of this title.

AMENDMENTS

1990—Pub. L. 101–624, § 1221, amended section generally. Prior to amendment, section read as follows: “This chapter does not authorize the Federal Government to regulate the use of private land or to deprive owners of land of their rights to property or to income from the sale of property, and this chapter does not diminish in any way the rights and responsibilities of the States and political subdivisions of States.”

§ 2111. Other Federal programs**(a) Repeal of statutory authorities**

The following laws, and portions of laws, are hereby repealed:

- (1) sections 1, 2, 3, and 4 of the Act of June 7, 1924, known as the Clarke-McNary Act (43 Stat. 653–654, as amended; 16 U.S.C. 564, 565, 566, 567);
- (2) the Act of April 26, 1940, known as the White Pine Blister Rust Protection Act (54 Stat. 168; 16 U.S.C. 594a);
- (3) the Forest Pest Control Act;
- (4) the Cooperative Forest Management Act;
- (5) section 401 of the Agricultural Act of 1956 [16 U.S.C. 568e];
- (6) title IV of the Rural Development Act of 1972 [7 U.S.C. 2651 et seq.]; and
- (7) section 1009 and the proviso to section 1010¹ of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 [16 U.S.C. 1509, 1510].

(b) Force and effect of contracts and cooperative and other agreements under cooperative forestry programs executed under authority of repealed statutes

Contracts and cooperative and other agreements under cooperative forestry programs executed under authority of the Acts, or portions thereof, repealed under subsection (a) of this section shall remain in effect until revoked or amended by their own terms or under other provisions of law.

(c) Availability of funds appropriated under authority of repealed statutes for cooperative forestry assistance programs

Funds appropriated under the authority of the Acts, or portions thereof, repealed under sub-

section (a) of this section shall be available for expenditure for the programs authorized under this chapter.

(Pub. L. 95–313, § 16, formerly § 13, July 1, 1978, 92 Stat. 374; renumbered § 16, Pub. L. 101–624, title XII, § 1215(1), Nov. 28, 1990, 104 Stat. 3525.)

REFERENCES IN TEXT

Act of April 26, 1940, known as the White Pine Blister Rust Protection Act (54 Stat. 168; 16 U.S.C. 594a), referred to in subsec. (a)(2), is act Apr. 26, 1940, ch. 159, 54 Stat. 168, which enacted section 594a of this title.

The Forest Pest Control Act, referred to in subsec. (a)(3), is act June 25, 1947, ch. 141, 61 Stat. 177, as amended, which enacted sections 594–1 to 594–5 of this title and enacted provisions set out as notes under section 594–1 of this title. For complete classification of this Act to the Code, see Tables.

The Cooperative Forest Management Act, referred to in subsec. (a)(4), is act Aug. 25, 1950, ch. 781, 64 Stat. 473, as amended, which enacted sections 568c and 568d of this title, repealed section 568b of this title, and enacted a provision set out as a note under section 568c of this title. For complete classification of this Act to the Code, see Tables.

The Rural Development Act of 1972, referred to in subsec. (a)(6), is Pub. L. 92–419, Aug. 30, 1972, 86 Stat. 657, as amended. Title IV of the Rural Development Act of 1972 was classified generally to subchapter I (§ 2651 et seq.) of chapter 59 of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title of 1972 Amendment note set out under section 1921 of Title 7 and Tables.

Section 1010 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973, referred to in subsec. (a)(7), was classified to section 1510 of this title prior to repeal by Pub. L. 104–127, title III, § 336(d)(1), Apr. 4, 1996, 110 Stat. 1006.

§ 2112. Cooperative national forest products marketing program**(a) Findings and purposes****(1) Findings**

Congress finds that—

(A) the health and vitality of the domestic forest products industry is important to the well-being of the economy of the United States;

(B) the domestic forest products industry has a significant potential for expansion in both domestic and foreign markets;

(C) many small-sized to medium-sized forest products firms lack the tools that would enable them to meet the increasing challenge of foreign competition in domestic and foreign markets; and

(D) a new cooperative forest products marketing program will improve the competitiveness of the United States forest products industry.

(2) Purposes

The purposes of this section are to—

(A) provide direct technical assistance to the United States forest products industry to improve marketing activities;

(B) provide cost-share grants to States to support State and regional forest products marketing programs; and

(C) target assistance to small-sized and medium-sized producers of solid wood and processed wood products, including pulp.

¹ See References in Text note below.