

AMENDMENTS

1994—Pub. L. 103-375 substituted “1998” for “1991”, inserted “and Mexico” after “Canada”, and struck out at end “The Secretary shall invite and encourage the appropriate officials in Mexico to participate in any revisions of the Plan.”

**§ 4411. Relationship to other authorities**

**(a) Acquisition of lands and waters**

Nothing in this chapter affects, alters, or modifies the Secretary’s authorities, responsibilities, obligations, or powers to acquire lands or waters or interests therein under any other statute.

**(b) Mitigation**

The Federal funds made available under this chapter and section 669b(b) of this title may not be used for fish and wildlife mitigation purposes under the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) or the Water Resources Development Act of 1986, Public Law 99-662 (1986), 100 Stat. 4235.

(Pub. L. 101-233, §12, Dec. 13, 1989, 103 Stat. 1977.)

REFERENCES IN TEXT

The Fish and Wildlife Coordination Act, referred to in subsec. (b), is act Mar. 10, 1934, ch. 55, 48 Stat. 401, as amended, which is classified generally to sections 661 to 666c of this title. For complete classification of this Act to the Code, see Short Title note set out under section 661 of this title and Tables.

The Water Resources Development Act of 1986, referred to in subsec. (b), is Pub. L. 99-662, Nov. 17, 1986, 100 Stat. 4082, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 2201 of Title 33, Navigation and Navigable Waters, and Tables.

**§ 4412. Limitation on assessments against Migratory Bird Conservation Fund**

Notwithstanding any other provision of law, only those personnel and administrative costs directly related to acquisition of real property shall be levied against the Migratory Bird Conservation Account.<sup>1</sup>

(Pub. L. 101-233, §14, Dec. 13, 1989, 103 Stat. 1977.)

**§ 4413. Other agreements**

The Secretary shall undertake with the appropriate officials of nations in the Western Hemisphere to establish agreements, modeled after the Plan or the Agreement, for the protection of migratory birds identified in section 2912(a)(5) of this title. When any such agreements are reached, the Secretary shall make recommendations to the appropriate Committees on legislation necessary to implement the agreements.

(Pub. L. 101-233, §16(a), Dec. 13, 1989, 103 Stat. 1977; Pub. L. 107-308, §8(a)(14), Dec. 2, 2002, 116 Stat. 2448.)

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2002—Pub. L. 107-308 substituted “Western Hemisphere” for “western hemisphere”.

<sup>1</sup> So in original. Probably should be “Fund”. See section 718d of this title.

**§ 4414. Assessment of progress in wetlands conservation**

Not later than January 31, 1996, the Secretary, in cooperation with the Council, to further the purposes of the chapter shall—

- (1) develop and implement a strategy to assist in the implementation of this Act in conserving the full complement of North American wetlands systems and species dependent on those systems, that incorporates information existing on the date of the issuance of the strategy in final form on types of wetlands habitats and species dependent on the habitats; and
- (2) develop and implement procedures to monitor and evaluate the effectiveness of wetlands conservation projects completed under this chapter.

(Pub. L. 101-233, §19, as added Pub. L. 103-375, §3, Oct. 19, 1994, 108 Stat. 3494.)

**CHAPTER 65—INTERNATIONAL FORESTRY COOPERATION**

- Sec. 4501. Forestry and related natural resource assistance.
- 4502. Tropical deforestation assessment and assistance.
- 4502a. Tropical forestry research and assistance.
- 4503. Institute of Tropical Forestry in Puerto Rico.
- 4503a. Institute of Pacific Islands Forestry.
- 4503b. Hawaii Experimental Tropical Forest.
- 4503c. Omitted.
- 4503d. Definitions.
- 4504. Administrative provisions.
- 4505. Authorization of appropriations.

**§ 4501. Forestry and related natural resource assistance**

**(a) Focus of activities**

To achieve the maximum impact from activities undertaken under the authority of this chapter, the Secretary shall focus such activities on the key countries which could have a substantial impact on emissions of greenhouse gases related to global warming.

**(b) Authority for international forestry activities**

In support of forestry and related natural resource activities outside of the United States and its territories and possessions, the Secretary of Agriculture may—

- (1) provide assistance that promotes sustainable development and global environmental stability, including assistance for—
    - (A) conservation and sustainable management of forest land;
    - (B) forest plantation technology and tree improvement;
    - (C) rehabilitation of cutover lands, eroded watersheds, and areas damaged by wildfires or other natural disasters;
    - (D) prevention and control of insects, diseases, and other damaging agents;
    - (E) preparedness planning, training, and operational assistance to combat natural disasters;
    - (F) more complete utilization of forest products leading to resource conservation;
    - (G) range protection and enhancement;
- and

(H) wildlife and fisheries habitat protection and improvement;

(2) share technical, managerial, extension, and administrative skills related to public and private natural resource administration;

(3) provide education and training opportunities to promote the transfer and utilization of scientific information and technologies;

(4) engage in scientific exchange and cooperative research with foreign governmental, educational, technical and research institutions; and

(5) cooperate with domestic and international organizations that further international programs for the management and protection of forests, rangelands, wildlife and fisheries, and related natural resource activities.

### (c) Eligible countries

The Secretary shall undertake the activities described in subsection (b) of this section, in countries that receive assistance from the Agency for International Development only at the request, or with the concurrence, of the Administrator of the Agency for International Development.

(Pub. L. 101-513, title VI, § 602, Nov. 5, 1990, 104 Stat. 2070; Pub. L. 102-574, § 2(b)(1), Oct. 29, 1992, 106 Stat. 4596.)

#### REFERENCES IN TEXT

This chapter, referred to in subssecs. (a) and (b), was in the original “this title”, meaning title VI of Pub. L. 101-513, Nov. 5, 1990, 104 Stat. 2070, which is classified principally to this chapter. For complete classification of title VI to the Code, see Short Title note set out below and Tables.

#### AMENDMENTS

1992—Subsec. (b). Pub. L. 102-574 struck out “(hereinafter referred to in this chapter as the Secretary)” after “Agriculture” in introductory provisions.

#### SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-574, § 1, Oct. 29, 1992, 106 Stat. 4593, provided that: “This Act [enacting sections 4502a and 4503a to 4503d of this title, amending this section and section 4503 of this title, and enacting provisions set out as notes under sections 4502a and 4503a of this title] may be cited as the ‘Hawaii Tropical Forest Recovery Act.’”

#### SHORT TITLE

Pub. L. 101-513, title VI, § 601, Nov. 5, 1990, 104 Stat. 2070, provided that: “This title [enacting this chapter and amending sections 1641, 1643, 2101, and 2109 of this title] may be cited as the ‘International Forestry Cooperation Act of 1990.’”

### § 4502. Tropical deforestation assessment and assistance

In support of the Tropical Forestry Action Plan and to specifically address tropical deforestation and degradation, the Secretary may—

(1) support and actively participate in global and regional meetings that seek to reform such Plan;

(2) together with the United States Agency for International Development,<sup>1</sup> and other Federal agencies, provide technical assistance

to tropical countries for the formulation of national forestry sector development strategies; and

(3) cooperate with tropical countries on research, training, and technical programs aimed at implementing national forestry sector development strategies.

(Pub. L. 101-513, title VI, § 603, Nov. 5, 1990, 104 Stat. 2071.)

### § 4502a. Tropical forestry research and assistance

#### (a) Assistance

To promote sound management and conservation of tropical forests of the United States and to promote the development and transfer of technical, managerial, educational, and administrative skills to managers of tropical forests within or outside the United States, the Secretary of Agriculture is authorized to provide assistance through the Forest Service to eligible entities in States with tropical forests to—

(1) develop, promote, and demonstrate sustainable harvesting of native woods and other forest products on a sustainable yield basis in balance with natural resource conservation;

(2) promote habitat preservation and species protection or recovery;

(3) protect indigenous plant and animal species and essential watersheds from non-native animals, plants, and pathogens;

(4) establish biological control agents for non-native species that threaten natural ecosystems;

(5) establish a monitoring system in tropical forests to identify baseline conditions and determine detrimental changes or improvements over time;

(6) detect and appraise stresses affecting tropical forests caused by insect infestations, diseases, pollution, fire, and non-native animal and plant species, and by the influence of people;

(7) determine the causes of changes that are detected through experimentation, intensive monitoring, and data collection at affected tropical forest sites; and

(8) engage in research, demonstration, education, training, and outreach that furthers the objectives of this subsection.

#### (b) Form of assistance

Assistance provided to eligible entities under this section may be in the form of grants, contracts, or cooperative agreements.

#### (c) Definitions

As used in this section:

##### (1) Eligible entity

The term “eligible entity” means a State forester or equivalent State official, State, political subdivision of a State, Federal agency, private organization, corporation, or other private person.

##### (2) State

The term “State” means each of the 50 States, Guam, American Samoa, the Republic of Palau (until the Compact of Free Association enters into effect), Puerto Rico, the Vir-

<sup>1</sup> So in original. The comma probably should not appear.