

is classified generally to part IV (§3839aa et seq.) of subchapter IV of chapter 58 of this title. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of Title 7, Agriculture, and Tables.

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 L. 110-234 were repealed by section 4(a) of Pub.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.

Section was enacted as part of the Federal Stewardship Act of 1990 and also as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the Cooperative Forestry Assistance Act of 1978 which comprises this chapter.

AMENDMENTS

2008—Subsec. (c)(3)(A). Pub. L. 110-246, §1603(g)(5), inserted “(before the amendment made by section 1703(a) of the Food, Conservation, and Energy Act of 2008)” after “section 1308 of title 7”.

1996—Subsec. (c)(3)(C). Pub. L. 104-127 substituted “environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985” for “Agricultural Conservation Program established under section 590p(b) of this title”.

1991—Subsec. (c)(3)(C). Pub. L. 102-237 inserted “(16 U.S.C. 2101 et seq.)” after “1978” and made technical amendment to reference to section 590p(b) of this title to correct corresponding provision of original Act.

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.

§ 2106b. Use of money collected from States for fire suppression assistance

Any money collected from the States for fire suppression assistance rendered by the Forest Service on non-Federal lands not in the vicinity of National Forest System lands shall on and after October 21, 1998, be used to reimburse the applicable appropriation and shall remain available until expended as the Secretary may direct in conducting activities authorized by 16 U.S.C. 2101 note, 2101-2110, 1606, and 2111.

(Pub. L. 105-277, div. A, §101(e) [title II], Oct. 21, 1998, 112 Stat. 2681-231, 2681-273.)

CODIFICATION

Section was enacted as part of the Department of the Interior and Related Agencies Appropriations Act, 1999, and also as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, and not as part of the Cooperative Forestry Assistance Act of 1978 which comprises this chapter.

SIMILAR PROVISIONS

Provisions similar to this section were contained in the following prior appropriation acts:

- Pub. L. 105-83, title II, Nov. 14, 1997, 111 Stat. 1577.
- Pub. L. 104-208, div. A, title I, §101(d) [title II], Sept. 30, 1996, 110 Stat. 3009-181, 3009-208.
- Pub. L. 104-134, title I, §101(c) [title II], Apr. 26, 1996, 110 Stat. 1321-156, 1321-185; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.
- Pub. L. 103-332, title II, Sept. 30, 1994, 108 Stat. 2524.
- Pub. L. 103-138, title II, Nov. 11, 1993, 107 Stat. 1403.
- Pub. L. 102-381, title II, Oct. 5, 1992, 106 Stat. 1402.
- Pub. L. 102-154, title II, Nov. 13, 1991, 105 Stat. 1018.
- Pub. L. 101-512, title II, Nov. 5, 1990, 104 Stat. 1943.

Pub. L. 101-121, title II, Oct. 23, 1989, 103 Stat. 727.

Pub. L. 100-446, title II, Sept. 27, 1988, 102 Stat. 1810.

§ 2106c. Enhanced community fire protection

(a) Cooperative management related to wildfire threats

The Secretary may cooperate with State foresters and equivalent State officials in the management of lands in the United States for the following purposes:

- (1) Aid in wildfire prevention and control.
- (2) Protect communities from wildfire threats.
- (3) Enhance the growth and maintenance of trees and forests that promote overall forest health.
- (4) Ensure the continued production of all forest resources, including timber, outdoor recreation opportunities, wildlife habitat, and clean water, through conservation of forest cover on watersheds, shelterbelts, and windbreaks.

(b) Community and Private Land Fire Assistance Program

(1) Establishment; purpose

The Secretary shall establish a Community and Private Land Fire Assistance program (in this subsection referred to as the “Program”)—

- (A) to focus the Federal role in promoting optimal firefighting efficiency at the Federal, State, and local levels;
- (B) to augment Federal projects that establish landscape level protection from wildfires;
- (C) to expand outreach and education programs to homeowners and communities about fire prevention; and
- (D) to establish space around homes and property of private landowners that is defensible against wildfires.

(2) Administration and implementation

The Program shall be administered by the Forest Service and implemented through State foresters or equivalent State officials.

(3) Components

In coordination with existing authorities under this chapter, the Secretary, in consultation with the State forester or equivalent State official, may undertake on non-Federal lands—

- (A) fuel hazard mitigation and prevention;
- (B) invasive species management;
- (C) multiresource wildfire planning;
- (D) community protection planning;
- (E) community and landowner education enterprises, including the program known as FIREWISE;
- (F) market development and expansion;
- (G) improved wood utilization; and
- (H) special restoration projects.

(4) Consent required

Program activities undertaken by the Secretary on non-Federal lands shall be undertaken only with the consent of the owner of the lands.

(5) Considerations

The Secretary shall use persons in the local community wherever possible to carry out projects under the Program.