

**(d) Definitions**

For the purposes of this chapter—

(1) 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 Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and the territories and possessions of the United States;

(2) The term “forest resources” shall include esthetics, fish and wildlife, forage, outdoor recreation opportunities, timber, and water; and

(3) The term “urban forestry” means the planning, establishment, protection, and management of trees and associated plants, individually, in small groups, or under forest conditions within cities, their suburbs, and towns.

**(e) Rules and regulations**

The Secretary may prescribe rules and regulations, as the Secretary deems appropriate, to implement the provisions of this chapter.

**(f) Granting, etc., authorities**

The Secretary is authorized to make grants, agreements, contracts, and other arrangements the Secretary deems necessary to implement this chapter.

**(g) Construction of statutory provisions**

This chapter 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 section 2111 of this title.

**(h) Additional assistance**

In addition to the authority provided elsewhere in this chapter, the Secretary may provide assistance to other countries with respect to the activities described in paragraphs (1) through (10) of section 2102(b) of this title, paragraphs (1) through (5) of section 2104(b)<sup>1</sup> of this title, and paragraphs (1) through (3) of section 2105(b) of this title. For the purposes of providing assistance to other countries under this subsection, the term “non-Federal forest land” shall mean any forest land and related renewable natural resources in such countries. In providing the assistance authorized under this subsection, the Secretary shall coordinate with other Federal officials, departments, agencies, or international organizations, as the President may direct. The references to “State foresters or equivalent State officials” in this chapter shall not apply to the assistance provided by the Secretary to other countries under this subsection.

(Pub. L. 95-313, § 13, formerly § 10, July 1, 1978, 92 Stat. 373; Pub. L. 101-513, title VI, § 611(b)(3), formerly § 607(b)(3), Nov. 5, 1990, 104 Stat. 2072, renumbered § 611(b)(3), Pub. L. 102-574, § 2(a)(1), Oct. 29, 1992, 106 Stat. 4593; renumbered § 13 and amended Pub. L. 101-624, title XII, §§ 1215(1), 1224(3), Nov. 28, 1990, 104 Stat. 3525, 3542; Pub. L.

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

<sup>1</sup> See References in Text note below.

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 subsecs. (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 1010<sup>1</sup> 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-

<sup>1</sup> See References in Text note below.