

grams and activities authorized under this chapter;

(E) conduct other activities, including training of State forestry personnel whom the Secretary deems necessary to ensure that the programs and activities authorized under this chapter are responsive to special problems, unique situations, and changing conditions.

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

(3) The Secretary shall use forest resources planning committees at National and State levels in implementing this subsection.

**(d) Authorization of appropriations**

There are hereby authorized to be appropriated annually such sums as may be needed to implement this section.

(Pub. L. 95-313, §11, formerly §8, July 1, 1978, 92 Stat. 371; renumbered §11, Pub. L. 101-624, title XII, §1215(1), Nov. 28, 1990, 104 Stat. 3525.)

CODIFICATION

In subsec. (c)(2), “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.

PRIOR PROVISIONS

A prior section 11 of Pub. L. 95-313 was renumbered section 14 and is classified to section 2110 of this title.

**§ 2108. Consolidation of payments**

**(a) Request by State; excluded funds**

To provide flexibility in funding activities authorized under this chapter, the Secretary may, upon the request of any State, consolidate the annual financial assistance payments to that State under this chapter, in lieu of functional cost sharing mechanisms, formulas, or agreements. However, consolidated payments shall not include money appropriated under section 2103<sup>1</sup> of this title or money from any special Treasury fund established under this chapter.

**(b) State forest resources programs as basis**

Consolidation of payments made under this section shall be based upon State forest resources programs developed by State foresters or equivalent State officials, and reviewed by the Secretary.

**(c) Amount of payments**

Consolidated payments to any State during any fiscal year shall not exceed the total amount of non-Federal funds expended within the State during that year to implement its State forest resources program. However, the Secretary may make payments that exceed the non-Federal amount expended for selected activities under the program, if the total Federal expenditure during any fiscal year does not exceed the total non-Federal expenditure during that year under the State forest resources program.

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

**(d) Certification requirement by State forester or equivalent State official for Federal payment**

The Secretary may make consolidated payments on the certificate of the State forester or equivalent State official that the conditions for Federal payment have been met.

**(e) Administration of consolidated payments program not to adversely affect, etc., other programs**

The Secretary shall administer this section to ensure that the use of consolidated payments does not adversely affect or eliminate any program authorized under this chapter.

**(f) Total annual amount of financial assistance to participating State; financial assistance for special projects not to be included in determining base amount**

Subject to applicable appropriation Acts, the total annual amount of financial assistance to any participating State after July 1, 1978, shall not be less than the base amount of financial assistance provided to that State under all the provisions of law specified in section 2111 of this title during the fiscal year in which this chapter is enacted. However, financial assistance for special projects of two years or less duration shall not be included in determining the base amount for any participating State.

(Pub. L. 95-313, §12, formerly §9, July 1, 1978, 92 Stat. 372; renumbered §12 and amended Pub. L. 101-624, title XII, §§1215(1), 1224(2), Nov. 28, 1990, 104 Stat. 3525, 3542.)

REFERENCES IN TEXT

Section 2103 of this title, referred to in subsec. (a), was repealed and a new section 2103 enacted by Pub. L. 107-171, title VIII, §§8001(a), 8002(b), May 13, 2002, 116 Stat. 468. Section 2103, as enacted by Pub. L. 107-171, was subsequently repealed by Pub. L. 113-79, title VIII, §8001(a), Feb. 7, 2014, 128 Stat. 913.

PRIOR PROVISIONS

A prior section 12 of Pub. L. 95-313, which amended section 1606 of this title and enacted provisions set out as a note under that section, was renumbered section 15.

AMENDMENTS

1990—Subsec. (f). Pub. L. 101-624, §1224(2), made technical amendment to reference to section 2111 of this title to reflect renumbering of corresponding section of original act.

**§ 2109. General provisions**

**(a) Cooperative and coordinating requirements for implementation of programs, etc.**

In implementing this chapter, the Secretary shall, to the maximum extent practicable—

(1) work through, cooperate with, and assist State foresters or equivalent State officials;

(2) encourage cooperation and coordination between State foresters or equivalent State officials and other State agencies that manage renewable natural resources;

(3) use and encourage cooperators under this chapter to use, private agencies, consultants, organizations, firms, and individuals to furnish necessary materials and services; and

(4) promote effectiveness and economy by coordinating the direct actions and assistance