

(Pub. L. 87-788, §4, Oct. 10, 1962, 76 Stat. 806; Pub. L. 92-318, title V, §506(i), June 23, 1972, 86 Stat. 351; Pub. L. 97-98, title XIV, §1442(b), Dec. 22, 1981, 95 Stat. 1321.)

#### AMENDMENTS

1981—Pub. L. 97-98 inserted provision that if, in any year, the amount made available by a State from its own funds (including any revenue-sharing funds) to a State-certified institution eligible for assistance is reduced because of an increase in the available allotment, the allotment of such State-certified institution from the next succeeding appropriation be reduced in an equivalent amount and that the Secretary reapportion the amount of such reduction to other eligible colleges and universities of the same State if there be any that qualify therefor and, if there be none, the Secretary reapportion such amount to the qualifying colleges and universities of other States participating in the forestry research program.

1972—Pub. L. 92-318 provided that for fiscal years ending June 30, 1971, and June 30, 1972, the matching funds requirement shall not be applicable to the Virgin Islands and Guam and sums authorized for such years for the Virgin Islands and Guam may be used to pay the total cost of programs for forestry research.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of Title 7, Agriculture.

#### EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-318 effective after June 30, 1970, see section 506(n) of Pub. L. 92-318, set out as an Effective Date note under section 326a of Title 7, Agriculture.

### § 582a-4. Regulations; advice and assistance; apportionment, membership, etc., of council

#### (a) Regulations and assistance

The Secretary shall prescribe such regulations as may be necessary to carry out this subchapter and to furnish such advice and assistance through a cooperative State forestry research unit in the Department as will best promote the purposes of this subchapter.

#### (b) Advisory council

The Secretary shall appoint a council of not fewer than sixteen members which shall be constituted to give representation to Federal and State agencies concerned with developing and utilizing the Nation's forest resources, the forest industries, the forestry schools of the State-certified eligible institutions, State agricultural experiment stations, and volunteer public groups concerned with forests and related natural resources. The council shall meet at least annually and shall submit a report to the Secretary on regional and national planning and coordination of forestry research within the Federal and State agencies, forestry schools, and the forest industries, and shall advise the Secretary on the apportionment of funds. The Secretary shall seek, at least once each year, the advice of the council to accomplish efficiently the purposes of this subchapter.

(Pub. L. 87-788, §5, Oct. 10, 1962, 76 Stat. 807; Pub. L. 97-98, title XIV, §1441(c), Dec. 22, 1981, 95 Stat. 1320.)

#### AMENDMENTS

1981—Pub. L. 97-98 substituted provisions directing the Secretary to promulgate necessary regulations, fur-

nish necessary advice and assistance, and appoint a council of no fewer than sixteen members in order to give representation to Federal and State agencies in developing cooperative State forestry programs for provisions which had directed the Secretary to make apportionments among participating States only after consulting with a national advisory board of not less than seven officials of the forestry schools of the State-certified eligible colleges and universities chosen by a majority of such schools. See section 582a-5 of this title.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of Title 7, Agriculture.

#### TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

### § 582a-5. Apportionments, advice, criteria, etc.

Apportionments among participating States shall be determined by the Secretary after consultation with the council appointed under section 582a-4 of this title. In making such apportionments, consideration shall be given to pertinent factors including non-Federal expenditures for forestry research by State-certified eligible institutions, areas of non-Federal commercial forest land, and the volume of timber cut annually. Three per centum of such funds as may be appropriated shall be made available to the Secretary for administration of this subchapter. These administrative funds may be used for transportation of scientists who are not officers or employees of the United States to research meetings convened for purposes of assessing research opportunities or research planning.

(Pub. L. 87-788, §6, Oct. 10, 1962, 76 Stat. 807; Pub. L. 97-98, title XIV, §1441(c), Dec. 22, 1981, 95 Stat. 1320.)

#### AMENDMENTS

1981—Pub. L. 97-98 substituted provisions directing the Secretary to make apportionments among participating States only after consultation with the council appointed under section 582a-4 of this title, enumerating the factors to be considered in making apportionments, and authorizing the expenditure of funds to transport scientists to research meetings for provisions which had authorized the Secretary to prescribe necessary rules and regulations, to furnish necessary advice and assistance, and to appoint an advisory committee. See section 582a-4 of this title.

#### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of Title 7, Agriculture.

### § 582a-6. Scope of forestry research

The term "forestry research" as used in this subchapter shall include investigations relating

to: (1) Reforestation and management of land for the production of crops of timber and other related products of the forest; (2) management of forest and related watershed lands to improve conditions of waterflow and to protect resources against floods and erosion; (3) management of forest and related rangeland for production of forage for domestic livestock and game and improvement of food and habitat for wildlife; (4) management of forest lands for outdoor recreation; (5) protection of forest land and resources against fire, insects, diseases, or other destructive agents; (6) utilization of wood and other forest products; (7) development of sound policies for the management of forest lands and the harvesting and marketing of forest products; and (8) such other studies as may be necessary to obtain the fullest and most effective use of forest resources.

(Pub. L. 87-788, § 7, Oct. 10, 1962, 76 Stat. 807.)

#### § 582a-7. "State" defined

The term "State" as used in this subchapter shall include Puerto Rico, the Virgin Islands, and Guam.

(Pub. L. 87-788, § 8, Oct. 10, 1962, 76 Stat. 807; Pub. L. 92-318, title V, § 506(j), June 23, 1972, 86 Stat. 351.)

#### AMENDMENTS

1972—Pub. L. 92-318 inserted reference to Virgin Islands and Guam.

#### EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-318 effective after June 30, 1970, see section 506(n) of Pub. L. 92-318, set out as an Effective Date note under section 326a of Title 7, Agriculture.

#### § 582a-8. Competitive forestry, natural resources, and environmental grants program

##### (a) Establishment

The Secretary of Agriculture (hereafter referred to in this section as the "Secretary") shall establish a competitive forestry, natural resources, and environmental grant program to award grants for the conduct of research or forest restoration as described in subsection (c).

##### (b) Eligible entities

To be eligible to receive a grant under subsection (a), an entity shall—

(1) be a State agricultural experiment station, a college or university, a research institution or organization, a Federal agency, a private organization, or a corporation that has a demonstrable capacity to conduct forestry, natural resources, and environmental research as determined by the Secretary; and

(2) prepare and submit to the Secretary, an application at such time, in such manner, and containing such information as the Secretary shall require, including the proposed use of the amounts that may be received under a grant.

##### (c) Priorities

###### (1) Research

In awarding the initial grants under subsection (a) the Secretary shall give priority to applicants who will use such grants for research concerning—

(A) the biology of forest organisms, including physiology, genetic mechanisms, and biotechnology;

(B) ecosystem function and management, including forest ecosystem research, biodiversity, forest productivity, pest management, water resources, and alternative silvicultural systems;

(C) wood as a raw material, including forest products and harvesting;

(D) human forest interactions, including outdoor recreation, public policy formulation, economics, sociology, and administrative behavior;

(E) international trade, competition, and cooperation related to forest products;

(F) alternative native crops, products, and services that can be produced from renewable natural resources associated with privately held forest lands;

(G) viable economic production and marketing systems for alternative natural resource products and services;

(H) economic and environmental benefits of various conservation practices on forest lands;

(I) genetic tree improvement; and

(J) market expansion.

##### (2) Forest restoration

Grants may be used to support programs that restore forest tree species native to American forests that may have suffered severe levels of mortality caused by non-native insects, plant pathogens, or others pests.

##### (A) Required component of forest restoration strategy

To receive a grant under this subsection, an eligible institution shall demonstrate that it offers a program with a forest restoration strategy that incorporates not less than one of the following components:

(i) Collection and conservation of native tree genetic material.

(ii) Production of propagules of native trees in numbers large enough for landscape scale restoration.

(iii) Site preparation of former of native tree habitat.

(iv) Planting of native tree seedlings.

(v) Post-planting maintenance of native trees.

##### (B) Award of grants

The Secretary shall award competitive grants under this subsection based on the degree to which the applicant addresses the following criteria:

(i) Risk posed to the forests of that State by non-native pests, as measured by such factors as the number of such pests present in the State.

(ii) The proportion of the State's forest composed of species vulnerable to non-native pests present in the United States.

(iii) The pests' rate of spread via natural or human-assisted means.

##### (d) Facilities and equipment

###### (1) Authority

Grants made under this section may be used to update research facilities and equipment