

sources Planning Act of 1974 [this subchapter] and the Appraisal and the Program under the Soil and Water Resources Conservation Act of 1977 [section 2001 et seq. of this title], the Secretary of Agriculture shall assure that resources and economic information and evaluation data will be continually improved so that the best possible information is always available for use by Federal agencies and the public.

“RANGE LAND DATA BASE AND ITS IMPROVEMENT

“The data on and understanding of the cover and condition of range lands is less refined than the data on and understanding of commercial forest land. Range lands have significant value in the production of water and protection of watersheds; the production of fish and wildlife food and habitat; recreation; and the production of livestock forage. An adequate data base on the cover and condition of range lands should be developed by the year 1990. Currently, cattle production from these lands is annually estimated at 213 million animal unit months of livestock forage. These lands should be maintained and enhanced, including their water and other resource values, so that they can annually provide 310 million animal units months of forage by the year 2030, along with other benefits.

“GENERAL ACCEPTANCE OF HIGH BOUND PROGRAM

“Congress generally accepts the ‘high-bound’ program described on pages 7 through 18 of the 1980 Report to Congress on the Nation’s Renewable Resources prepared by the Secretary of Agriculture. However, Congress finds that the ‘high-bound’ program may not be sufficient to accomplish the goals contained in this statement, particularly in the area of range and watershed resources, State and private forest cooperation and timber management.

“STATE AND PRIVATE LANDS

“States and owners of private forest and rangelands will be encouraged, consistent with their individual objectives, to manage their land in support of this Statement of Policy. The State and private forestry and range programs of the Forest Service will be essential to the furtherance of this Statement of Policy.

“FUNDING THE GOALS

“In order to accomplish the policy goals contained in this statement by the year 2030, the Federal Government should adequately fund programs of research (including cooperative research), extension, cooperative forestry assistance and protection, and improved management of the forest and rangelands. The Secretary of Agriculture shall continue his efforts to evaluate the cost-effectiveness of the renewable resource programs.”

STATEMENT OF PURPOSES OF AMENDMENT BY
COOPERATIVE FORESTRY ASSISTANCE ACT OF 1978

Section 15, formerly section 12 of Pub. L. 95-313, renumbered §15, Pub. L. 101-624, title XII, §1215(1), Nov. 28, 1990, 104 Stat. 3525, provided in part that the amendment of subsec. (c) of this section by Pub. L. 95-313 is to insure that Congress has adequate information to implement its oversight responsibilities and to provide accountability for expenditures and activities under the Cooperative Forestry Assistance Act of 1978. See Short Title note set out under section 2101 of this title for classification of the Cooperative Forestry Assistance Act of 1978 in the Code.

§ 1606a. Reforestation Trust Fund

(a) Establishment; source of funds

There is established in the Treasury of the United States a trust fund, to be known as the Reforestation Trust Fund (hereinafter in this section referred to as the “Trust Fund”), consisting of such amounts as are transferred to the Trust Fund under subsection (b)(1) and any in-

terest earned on investment of amounts in the Trust Fund under subsection (c)(2).

(b) Transfers to Trust Fund

(1) In general

The Secretary of the Treasury shall transfer to the Trust Fund an amount equal to the sum of the tariffs received in the Treasury after January 1, 1989, under headings 4401 through 4412 and subheadings 4418.50.00, 4418.90.20, 4420.10.00, 4420.90.80, 4421.90.10 through 4421.90.20, and 4421.90.70 of chapter 44, subheadings 6808.00.00 and 6809.11.00 of chapter 68 and subheading 9614.10.00 of chapter 96 of the Harmonized Tariff Schedule of the United States.

(2) Frequency

The amounts required to be transferred to the Trust Fund under paragraph (1) shall be transferred at least quarterly from the general fund of the Treasury to the Trust Fund on the basis of estimates made by the Secretary of the Treasury.

(3) Adjustment of estimates

Proper adjustment shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(c) Report to Congress; printing as House and Senate document; investments; sale and redemption of obligations; credits for Trust Fund

(1) It shall be the duty of the Secretary of the Treasury to hold the Trust Fund, and (after consultation with the Secretary of Agriculture) to report to the Congress each year on the financial condition and the results of the operations of the Trust Fund during the preceding fiscal year and on its expected condition and operations during the next fiscal year. Such report shall be printed as both a House and Senate document of the session of the Congress to which the report is made.

(2)(A) It shall be the duty of the Secretary of the Treasury to invest such portion of the Trust Fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired (i) on original issue at the issue price, or (ii) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under chapter 31 of title 31 are hereby extended to authorize the issuance at par of special obligations exclusively to the Trust Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the Public Debt; except that where such average rate is not a multiple of one-eighth of 1 percent, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 percent next lower than such average rate. Such special

obligations shall be issued only if the Secretary of the Treasury determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

(B) Any obligation acquired by the Trust Fund (except special obligations issued exclusively to the Trust Fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

(C) The interest on, and the proceeds from the sale or redemption of, any obligations held in Trust Fund shall be credited to and form a part of the Trust Fund.

(d) Obligations from Trust Fund

The Secretary of Agriculture is on and after December 19, 1985, authorized to obligate such sums as are available in the Trust Fund (including any amounts not obligated in previous fiscal years) for—

(1) reforestation and timber stand improvement as specified in subsection (e) of section 1601 of this title and other forest stand improvement activities to enhance forest health and reduce hazardous fuel loads of forest stands in the National Forest System; and

(2) properly allocable administrative costs of the Federal Government for the activities specified above.

(Pub. L. 96-451, title III, § 303, Oct. 14, 1980, 94 Stat. 1991; Pub. L. 97-424, title IV, § 422, Jan. 6, 1983, 96 Stat. 2164; Pub. L. 99-190, § 101(d) [title II, § 201], Dec. 19, 1985, 99 Stat. 1224, 1245; Pub. L. 100-418, title I, § 1214(r), Aug. 23, 1988, 102 Stat. 1160; Pub. L. 105-83, title III, § 322, Nov. 14, 1997, 111 Stat. 1596; Pub. L. 117-58, div. G, title III, § 70302(b), Nov. 15, 2021, 135 Stat. 1260.)

Editorial Notes

REFERENCES IN TEXT

The Harmonized Tariff Schedule of the United States, referred to in subsec. (b)(1), is not set out in the Code. See Publication of Harmonized Tariff Schedule note set out under section 1202 of Title 19, Customs Duties.

CODIFICATION

Section was not enacted as part of the Forest and Rangeland Renewable Resources Planning Act of 1974 which comprises this subchapter.

In subsec. (c)(2)(A), “chapter 31 of title 31” substituted for “the Second Liberty Bond Act, as amended” 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.

AMENDMENTS

2021—Subsec. (b). Pub. L. 117-58, § 70302(b)(1), substituted “Transfers to Trust Fund” for “Transfer of certain tariff receipts to Trust Fund; fiscal year limitation; quarterly transfers; adjustment of estimates” in subsec. heading; inserted par. heading and substituted “The Secretary” for “Subject to the limitation in paragraph (2), the Secretary” in par. (1); struck out par. (2) which provided that the Secretary could not transfer more than \$30,000,000 to the Trust Fund for any fiscal year; redesignated par. (3) as (2) and inserted par. (2) heading; and redesignated second sentence of former par. (3) as (3) and inserted par. (3) heading.

Subsec. (d)(1). Pub. L. 117-58, § 70302(b)(2), substituted “subsection (e) of section 1601” for “section 1601(d)”

and made technical amendment to reference in original act which appears in text as reference to section 1601 of this title.

1997—Subsec. (d)(1). Pub. L. 105-83 inserted before semicolon “and other forest stand improvement activities to enhance forest health and reduce hazardous fuel loads of forest stands in the National Forest System”.

1988—Subsec. (b)(1). Pub. L. 100-418 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “Subject to the limitation in paragraph (2), the Secretary of the Treasury shall transfer to the Trust Fund an amount equal to the sum of the tariffs received in the Treasury after September 30, 1979, under subparts A and B of part 1 of schedule 2 of the Tariff Schedules of the United States (19 U.S.C. 1202) and under part 3 of such schedule.”

1985—Subsec. (d). Pub. L. 99-190 amended subsec. (d) generally, substituting provisions authorizing the Secretary to obligate available sums in the Trust Fund, for provisions requiring the Secretary to expend all available amounts in each of fiscal years 1983, 1984, and 1985.

Subsec. (e). Pub. L. 99-190 struck out subsec. (e) which related to sense of Congress with respect to disposition of unexpended funds.

1983—Subsec. (b)(1). Pub. L. 97-424, § 422(b), struck out “and before October 1, 1985,” after “September 30, 1979”.

Subsec. (d). Pub. L. 97-424, § 422(a), substituted provisions relating to fiscal years 1983 through 1985 for provision that directed that for each of the first 5 fiscal years beginning after Sept. 30, 1980, there was authorized after that date to be appropriated to the Secretary of Agriculture, out of any amounts in the Trust Fund, an amount equal to the sum of the amount by which the sum estimated by the Secretary of Agriculture for the fiscal year under section 1601(d)(2) of this title to be necessary for reforestation and other treatment of acreage, as set forth in the report transmitted by the Secretary to the Congress under that section for the fiscal year, exceeded the sum of the amounts appropriated for the fiscal year under the authorization contained in section 1601(d)(3) of this title and under any other provision of law to carry out the same purpose; and such sums as were determined by the Secretary of Agriculture to be properly allocable to administrative costs of the Federal Government incurred for the fiscal year in connection with the reforestation program carried out under this chapter.

Subsec. (e). Pub. L. 97-424, § 422(a), substituted provision that it is the intent of Congress that the Secretary expend all of the funds available in the Trust Fund in each fiscal year and that any such funds which are not expended in a given fiscal year remain available for expenditure without fiscal year limitation; except that any funds not expended prior to Oct. 1, 1985, shall, no later than Apr. 30, 1986, be distributed to the States for use in State forestry programs pursuant to the formula set forth in section 500 of this title for provision that the Secretary of the Treasury pay into the general fund of the Treasury any amounts, including interest earned on such amounts, remaining in the Trust Fund after Sept. 30, 1985, which were not expended and remained in the Trust Fund.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-418 effective Jan. 1, 1989, and applicable with respect to articles entered on or after such date, see section 1217(b)(1) of Pub. L. 100-418, set out as an Effective Date note under section 3001 of Title 19, Customs Duties.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (c)(1) of this section relating to reporting to Congress each year, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 143 of House Document No. 103-7.

§ 1607. National Forest System renewable resources; development and administration by Secretary in accordance with multiple use and sustained yield concepts for products and services; target year for operational posture of resources; budget requests

The Secretary shall take such action as will assure that the development and administration of the renewable resources of the National Forest System are in full accord with the concepts for multiple use and sustained yield of products and services as set forth in the Multiple-Use Sustained-Yield Act of 1960 [16 U.S.C. 528–531]. To further these concepts, the Congress hereby sets the year 2030 as the target year when the renewable resources of the National Forest System shall be in an operating posture whereby all backlogs of needed treatment for their restoration shall be reduced to a current basis and the major portion of planned intensive multiple-use sustained-yield management procedures shall be installed and operating on an environmentally-sound basis. The annual budget shall contain requests for funds for an orderly program to eliminate such backlogs: *Provided*, That when the Secretary finds that (1) the backlog of areas that will benefit by such treatment has been eliminated, (2) the cost of treating the remainder of such area exceeds the economic and environmental benefits to be secured from their treatment, or (3) the total supplies of the renewable resources of the United States are adequate to meet the future needs of the American people, the budget request for these elements of restoration may be adjusted accordingly.

(Pub. L. 93–378, §9, formerly §8, Aug. 17, 1974, 88 Stat. 479, renumbered §9, Pub. L. 94–588, §2, Oct. 22, 1976, 90 Stat. 2949; amended Pub. L. 115–141, div. O, title II, §208(b)(2), Mar. 23, 2018, 132 Stat. 1066; Pub. L. 117–58, div. G, title III, §70302(a)(2), Nov. 15, 2021, 135 Stat. 1260.)

Editorial Notes

REFERENCES IN TEXT

The Multiple-Use Sustained-Yield Act of 1960, referred to in text, is Pub. L. 86–517, June 12, 1960, 74 Stat. 215, as amended, which is classified generally to sections 528 to 531 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 528 of this title and Tables.

AMENDMENTS

2021—Pub. L. 117–58 substituted “year 2030” for “year 2000”.

2018—Pub. L. 115–141 substituted “Secretary shall take” for “Secretary of Agriculture shall take”.

Executive Documents

TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Secretary or other official in Department of Agriculture under this subchapter to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 1601 of this title.

§ 1608. National Forest Transportation System

(a) Congressional declaration of policy; time for development; method of financing; financing of forest development roads

The Congress declares that the installation of a proper system of transportation to service the National Forest System, as is provided for in sections 532 to 538 of this title, shall be carried forward in time to meet anticipated needs on an economical and environmentally sound basis, and the method chosen for financing the construction and maintenance of the transportation system should be such as to enhance local, regional, and national benefits: *Provided*, That limitations on the level of obligations for construction of forest roads by timber purchasers shall be established in annual appropriation Acts.

(b) Construction of temporary roadways in connection with timber contracts, and other permits or leases

Unless the necessity for a permanent road is set forth in the forest development road system plan, any road constructed on land of the National Forest System in connection with a timber contract or other permit or lease shall be designed with the goal of reestablishing vegetative cover on the roadway and areas where the vegetative cover has been disturbed by the construction of the road, within ten years after the termination of the contract, permit, or lease either through artificial or natural means. Such action shall be taken unless it is later determined that the road is needed for use as a part of the National Forest Transportation System.

(c) Standards of roadway construction

Roads constructed on National Forest System lands shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources.

(Pub. L. 93–378, §10, formerly §9, Aug. 17, 1974, 88 Stat. 479, renumbered §10 and amended Pub. L. 94–588, §§2, 8, Oct. 22, 1976, 90 Stat. 2949, 2956; Pub. L. 97–100, title II, §201, Dec. 23, 1981, 95 Stat. 1405.)

Editorial Notes

AMENDMENTS

1981—Subsec. (a). Pub. L. 97–100 substituted “*Provided*, That limitations on the level of obligations for construction of forest roads by timber purchasers shall be established in annual appropriation Acts” for “, except that the financing of forest development roads as authorized by clause (2) of section 535 of this title, shall be deemed ‘budget authority’ and ‘budget outlays’ as those terms are defined in section 1302(a) of title 31, and shall be effective for any fiscal year only in the manner required for new spending authority as specified by section 1351(a) of title 31”.

1976—Pub. L. 94–588, §8, designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

Statutory Notes and Related Subsidiaries

COUNTY PAYMENT MITIGATION; TRANSPORTATION SYSTEM MORATORIUM

Pub. L. 105–174, title III, §3006, May 1, 1998, 112 Stat. 85, provided that: