

section to repair damage caused by storms occurring in 1988 or 1989 to watersheds located in any county in any State, to the extent that funds authorized by this section remain available, with \$25,000,000 appropriated for fiscal year 1990.

§ 2204. Funding and administration

(a) Authorization of appropriations

There are authorized to be appropriated such funds as may be necessary to carry out the purposes of this chapter, to remain available until expended.

(b) Set-aside for fencing

Of the amounts made available under subsection (a) for a fiscal year, 25 percent shall be set aside until April 1 of that fiscal year for the repair or replacement of fencing.

(c) Use of Commodity Credit Corporation

In implementing this chapter, the Secretary may use the facilities, services, and authorities of the Commodity Credit Corporation.

(d) Limitation

The Commodity Credit Corporation shall not make any expenditures to carry out the provisions of this chapter unless funds specifically appropriated for such purpose have been transferred to it.

(Pub. L. 95-334, title IV, §404, Aug. 4, 1978, 92 Stat. 434; Pub. L. 115-334, title II, §2403(a)(2)(A), (e), Dec. 20, 2018, 132 Stat. 4571, 4572.)

Editorial Notes

2018—Pub. L. 115-334, §2403(e), inserted section catchline; designated first, third, and fourth sentences as subsections (a), (c), and (d), respectively, and inserted headings; in subsection (a), inserted “, to remain available until expended” before period at end; in subsection (c), substituted “In implementing this chapter” for “In implementing the provisions of this chapter”; in subsection (d), substituted “The Commodity Credit Corporation” for “The Corporation”; added subsection (b); and struck out former second sentence which read as follows: “Such funds shall remain available until expended.”

Pub. L. 115-334, §2403(a)(2)(A), substituted “Secretary” for “Secretary of Agriculture” in third sentence.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1978, see section 406 of Pub. L. 95-334, set out as a note under section 2201 of this title.

§ 2205. Regulations for implementation of provisions

The Secretary is authorized to prescribe such regulations as the Secretary determines necessary to carry out the provisions of this chapter.

(Pub. L. 95-334, title IV, §405, Aug. 4, 1978, 92 Stat. 434; Pub. L. 115-334, title II, §2403(a)(2)(A), Dec. 20, 2018, 132 Stat. 4571.)

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-334 substituted “The Secretary is” for “The Secretary of Agriculture is”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1978, see section 406 of Pub. L. 95-334, set out as a note under section 2201 of this title.

§ 2206. Emergency forest restoration program

(a) Definitions

In this section:

(1) Emergency measures

The term “emergency measures” means those measures that—

(A) are necessary to address damage caused by a natural disaster to natural resources on nonindustrial private forest land, and the damage, if not treated—

(i) would impair or endanger the natural resources on the land; and

(ii) would materially affect future use of the land; and

(B) would restore forest health and forest-related resources on the land.

(2) Natural disaster

The term “natural disaster” includes wildfires, hurricanes or excessive winds, drought, ice storms or blizzards, floods, or other resource-impacting events, as determined by the Secretary.

(3) Nonindustrial private forest land

The term “nonindustrial private forest land” means rural land, as determined by the Secretary, that—

(A) has existing tree cover (or had tree cover immediately before the natural disaster and is suitable for growing trees); and

(B) is owned by any nonindustrial private individual, group, association, corporation, or other private legal entity, that has definitive decision-making authority over the land.

(b) Availability of assistance

The Secretary may make payments to an owner of nonindustrial private forest land who carries out emergency measures to restore the land after the land is damaged by a natural disaster.

(c) Eligibility

To be eligible to receive a payment under subsection (b), an owner must demonstrate to the satisfaction of the Secretary that the nonindustrial private forest land on which the emergency measures are carried out had tree cover immediately before the natural disaster.

(d) Cost share requirement

Payments made under subsection (b) shall not exceed 75 percent of the total cost of the emergency measures carried out by an owner of nonindustrial private forest land.

(e) Authorization of appropriations

There are authorized to be appropriated to the Secretary such funds as may be necessary to carry out this section. Amounts so appropriated shall remain available until expended.

(Pub. L. 95-334, title IV, §407, as added Pub. L. 110-234, title VIII, §8203(a), May 22, 2008, 122 Stat.

1290, and Pub. L. 110-246, §4(a), title VIII, §8203(a), June 18, 2008, 122 Stat. 1664, 2051; amended Pub. L. 115-334, title II, §2403(a)(2)(B), Dec. 20, 2018, 132 Stat. 4571.)

Editorial Notes

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.

AMENDMENTS

2018—Subsec. (a)(4). Pub. L. 115-334 struck out par. (4). Text read as follows: “The term ‘Secretary’ means the Secretary of Agriculture.”

Statutory Notes and Related Subsidiaries

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.

REGULATIONS

Pub. L. 110-234, title VIII, §8203(b), May 22, 2008, 122 Stat. 1291, and Pub. L. 110-246, §4(a), title VIII, §8203(b), June 18, 2008, 122 Stat. 1664, 2052, provided that: “Not later than one year after the date of the enactment of this Act [June 18, 2008], the Secretary of Agriculture shall issue regulations to carry out section 407 of the Agricultural Credit Act of 1978 [16 U.S.C. 2206], as added by subsection (a).”

[Pub. L. 110-234 and Pub. L. 110-246 enacted identical provisions. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246, set out as a note under section 8701 of Title 7, Agriculture.]

CHAPTER 43—PUBLIC TRANSPORTATION PROGRAMS FOR NATIONAL PARK SYSTEM AREAS

Sec.

2301 to 2306. Omitted, Transferred, or Repealed.

§ 2301. Omitted or Transferred

Editorial Notes

CODIFICATION

Section, Pub. L. 95-344, title III, §301, Aug. 15, 1978, 92 Stat. 477, which related to congressional statement of findings and purpose, was omitted in part and transferred in part. Subsec. (a), which related to findings, was omitted from the Code following the enactment of Title 54, National Park Service and Related Programs, by Pub. L. 113-287. Subsec. (b), which related to purpose of former chapter 43 of this title, was transferred and is set out as a note under section 101521 of Title 54.

§ 2302. Repealed. Pub. L. 113-287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 95-344, title III, §302, Aug. 15, 1978, 92 Stat. 478; Pub. L. 103-437, §6(d)(18), Nov. 2, 1994, 108 Stat. 4584; Pub. L. 104-333, div. I, title VIII, §814(d)(1)(A), Nov. 12, 1996, 110 Stat. 4195, related to transportation service and facility programs. See section 101521 of Title 54, National Park Service and Related Programs.

§ 2303. Repealed. Pub. L. 113-287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 95-344, title III, §303, Aug. 15, 1978, 92 Stat. 479; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695; Pub. L. 103-437, §6(d)(18), Nov. 2, 1994, 108 Stat.

4584, related to transportation projects. See section 101522 of Title 54, National Park Service and Related Programs.

§ 2304. Repealed. Pub. L. 113-287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 95-344, title III, §304, Aug. 15, 1978, 92 Stat. 479; Pub. L. 103-437, §6(d)(18), Nov. 2, 1994, 108 Stat. 4584, related to procedures applicable to formulation and implementation of transportation plans and projects developed pursuant to plans. See section 101523 of Title 54, National Park Service and Related Programs.

§ 2305. Repealed. Pub. L. 113-287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 95-344, title III, §305, Aug. 15, 1978, 92 Stat. 479, required a report to Congress within 3 years of Aug. 15, 1978.

§ 2306. Repealed. Pub. L. 113-287, § 7, Dec. 19, 2014, 128 Stat. 3272

Section, Pub. L. 95-344, title III, §306, Aug. 15, 1978, 92 Stat. 480, related to authorizations of appropriations for fiscal years 1979 to 1981 and availability of amounts.

CHAPTER 44—ANTARCTIC CONSERVATION

Sec.

2401.	Congressional findings and declaration of purpose.
2402.	Definitions.
2403.	Prohibited acts.
2403a.	Environmental impact assessment.
2404.	Permits.
2405.	Regulations.
2406.	Notification of travel to Antarctica.
2407.	Civil penalties.
2408.	Criminal offenses.
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2410.	Jurisdiction of district courts.
2411.	Federal agency cooperation.
2412.	Relationship to existing treaties.
2413.	Saving provisions.

§ 2401. Congressional findings and declaration of purpose

(a) Findings

The Congress finds that—

(1) for well over a quarter of a century, scientific investigation has been the principal activity of the Federal Government and United States nationals in Antarctica;

(2) more recently, interest of American tourists in Antarctica has increased;

(3) as the lead civilian agency in Antarctica, the National Science Foundation has long had responsibility for ensuring that United States scientific activities and tourism, and their supporting logistics operations, are conducted with an eye to preserving the unique values of the Antarctic region;

(4) the Antarctic Treaty and the Protocol establish a firm foundation for the conservation of Antarctic resources, for the continuation of international cooperation and the freedom of scientific investigation in Antarctica; and

(5) the Antarctic Treaty and the Protocol establish international mechanisms and create legal obligations necessary for the maintenance of Antarctica as a natural reserve devoted to peace and science.

(b) Purpose

The purpose of this chapter is to provide for the conservation and protection of the fauna