L. 110–234 were repealed by section 4(a) of Pub. L. 110–246.

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of the Organic Foods Production Act of 1990 which comprises this chapter.

AMENDMENTS

2008—Subsec. (a). Pub. L. 110–246, § 10301(1), substituted ''$22,000,000 for fiscal year 2008'' for ''$5,000,000 for fiscal year 2002''.

Subsec. (b)(2). Pub. L. 110–246, § 10301(2), substituted ''$750'' for ''$500''.

Subsec. (c). Pub. L. 110–246, § 10301(3), added subsec. (c).

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 this title.

CHAPTER 95—RURAL REVITALIZATION THROUGH FORESTRY

SUBCHAPTER I—FORESTRY RURAL REVITALIZATION

Sec.
6601. Forestry rural revitalization.

SUBCHAPTER II—NATIONAL FOREST-DEPENDENT RURAL COMMUNITIES

6611. Findings and purposes.
6612. Definitions.
6613. Rural natural resources and economic diversification action teams.
6614. Action plan implementation.
6615. Training and education.
6616. Loans to economically disadvantaged rural communities.
6617. Authorization of appropriations and spending authority.

SUBCHAPTER I—FORESTRY RURAL REVITALIZATION

§ 6601. Forestry rural revitalization

(a) Establishment of economic development and global marketing program

The Secretary of Agriculture, acting through the Extension Service and the Cooperative Extension System, and in consultation with the Forest Service, shall establish and implement educational programs and provide technical assistance to assist businesses, industries, and policymakers to create jobs, raise incomes, and increase public revenues in manners consistent with environmental concerns.

(b) Activities

Each program established under subsection (a) of this section shall—

(1) transfer technologies to natural resource-based industries in the United States to make such industries more efficient, productive, and competitive;

(2) assist businesses to identify global marketing opportunities, conduct business on an international basis, and market themselves more effectively; and

(3) train local leaders in strategic community economic development.

(c) Types of programs

The Secretary of Agriculture shall establish specific programs under subsection (a) of this section to—

(1) deliver educational services focused on community economic analysis, economic diversification, economic impact analysis, retention and expansion of existing commodity and noncommodity industries, amenity resource and tourism development, and entrepreneurship focusing on forest lands and rural communities;

(2) use Cooperative Extension System databases and analytical tools to help communities diversify their economic bases, add value locally to raw forest product materials, and retain revenues by helping to develop local businesses and industries to supply forest products locally; and

(3) use the full resources of the Cooperative Extension Service, including land-grant universities and county offices, to promote economic development that is sustainable and environmentally sound.

(d) Rural revitalization technologies

(1) In general

The Secretary of Agriculture, acting through the Chief of the Forest Service, in consultation with the State and Private Forestry Technology Marketing Unit at the Forest Products Laboratory, and in collaboration with eligible institutions, may carry out a program—

(A) to accelerate adoption of technologies using biomass and small-diameter materials;

(B) to create community-based enterprises through marketing activities and demonstration projects; and

(C) to establish small-scale business enterprises to make use of biomass and small-diameter materials.

(2) Authorization of appropriations

There is authorized to be appropriated to carry out this subsection $5,000,000 for each of fiscal years 2008 through 2012.

(Pub. L. 101–624, title XXIII, § 2371, Nov. 28, 1990, 104 Stat. 4045; Pub. L. 108–148, title II, § 202, Dec. 3, 2003, 117 Stat. 1902; Pub. L. 110–234, title VII, § 7511(c)(25), title VIII, § 8201, May 22, 2008, 122 Stat. 1269, 1290; Pub. L. 110–246, § 4(a), title VII, § 7511(c)(25), title VIII, § 8201, June 18, 2008, 122 Stat. 1664, 2031, 2051.)

AMENDMENT OF SUBSECTIONS (a) AND (c)(3)

Pub. L. 110–246, title VII, § 7511(c), June 18, 2008, 122 Stat. 2028, 2031, provided that, effective Oct. 1, 2009, subsection (a) of this section is amended by substituting ''National Institute of Food and Agriculture'' for ''Extension Service'' and subsection (c)(3) of this section is amended by substituting ''System'' for ''Service''.

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.

AMENDMENTS

2008—Subsec. (d)(2). Pub. L. 110–246, § 8201, substituted ''2008 through 2012'' for ''2004 through 2008''.

2003—Subsec. (d). Pub. L. 108–148 added subsec. (d).

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, except as otherwise provided, see section 4 of Pub. L. 110–246, set out as an Effective Date note under section 8701 of this title.

Amendment by section 7511(c)(25) of Pub. L. 110–246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110–246, set out as a note under section 1522 of this title.

SHORT TITLE

Section 2372 of Pub. L. 101–624 provided that: ''This chapter [chapter 2 (§§ 2372–2379) of subtitle G of title XXIII of Pub. L. 101–624, enacting subchapter II (§ 6611 et seq.) of this chapter] may be cited as the 'National Forest-Dependent Rural Communities Economic Diversification Act of 1990'.''

SUBCHAPTER II—NATIONAL FOREST-DEPENDENT RURAL COMMUNITIES

§ 6611. Findings and purposes

(a) Findings

The Congress finds that—

(1) the economic well-being of rural America is vital to our national growth and prosperity;

(2) the economic well-being of many rural communities depends upon the goods and services that are derived from National Forest System land;

(3) the economies of many of these communities suffer from a lack of industrial and business diversity;

(4) this lack of diversity is particularly serious in communities whose economies are predominantly dependent on timber and recreation resources and where management decisions made on National Forest System land by Federal and private organizations may disrupt the supply of those resources;

(5) the Forest Service has expertise and resources that could be directed to promote modernization and economic diversification of existing industries and services based on natural resources;

(6) the Forest Service has the technical expertise to provide leadership, in cooperation with other governmental agencies and the private sector, to assist rural communities dependent upon National Forest System land resources to upgrade existing industries and diversify by developing new economic activity in non-forest-related industries; and

(7) technical assistance, training, education, and other assistance provided by the Department of Agriculture can be targeted to provide immediate help to those rural communities in greatest need.

(b) Purposes

The purposes of this subchapter are—

(1) to provide assistance to rural communities that are located in or near National Forest System land and that are economically dependent upon natural resources or are likely to be economically disadvantaged by Federal or private sector land management practices;

(2) to aid in diversifying such communities' economic bases; and

(3) to improve the economic, social, and environmental well-being of rural America.

(Pub. L. 101–624, title XXIII, § 2373, Nov. 28, 1990, 104 Stat. 4046; Pub. L. 106–113, div. B, § 1000(a)(3) [title III, § 345(a)], Nov. 29, 1999, 113 Stat. 1535, 1501A–203.)

AMENDMENTS

1999—Subsec. (a)(2). Pub. L. 106–113, § 1000(a)(3) [title III, § 345(a)(1)(A)], substituted ''National Forest System land;'' for ''national forests;''.

Subsec. (a)(4). Pub. L. 106–113, § 1000(a)(3) [title III, § 345(a)(1)(B)], substituted ''National Forest System land'' for ''the national forests''.

Subsec. (a)(5). Pub. L. 106–113, § 1000(a)(3) [title III, § 345(a)(1)(C)], substituted ''natural resources;'' for ''forest resources;''.

Subsec. (a)(6). Pub. L. 106–113, § 1000(a)(3) [title III, § 345(a)(1)(D)], substituted ''National Forest System land resources'' for ''national forest resources''.

Subsec. (b)(1). Pub. L. 106–113, § 1000(a)(3) [title III, § 345(a)(2)], substituted ''National Forest System land'' for ''national forests'' and ''natural resources'' for ''forest resources''.

§ 6612. Definitions

As used in this subchapter:

(1) The term ''action team'' means a rural natural resources and economic diversification action team established by the Secretary pursuant to section 6613(b) of this title.

(2) The term ''economically disadvantaged'' means economic hardship due to the loss of jobs or income (labor or proprietor) derived from forestry, the wood products industry, or related commercial enterprises such as recreation and tourism in the national forest.

(3) The term ''rural community'' means—

(A) any town, township, municipality, or other similar unit of general purpose local government, or any area represented by a not-for-profit corporation or institution organized under State or Federal law to promote broad based economic development, or unit of general purpose local government, as approved by the Secretary, that has a population of not more than 10,000 individuals, is located within a county in which at least 15 percent of the total primary and secondary labor and proprietor income is derived from forestry, wood products, and forest-related industries such as recreation, forage production, and tourism and that is located within the boundary, or within 100 miles of the boundary, of a national forest; or

(B) any county that is not contained within a Metropolitan Statistical Area as defined by the United States Office of Management and Budget, in which at least 15 percent of the total primary and secondary labor and proprietor income is derived from forestry, wood products, and forest-related industries such as recreation, forage production, and tourism and that is located within the boundary, or within 100 miles of the boundary, of a national forest.

(4) The term ''Secretary'' means the Secretary of Agriculture.

(Pub. L. 101–624, title XXIII, § 2374, Nov. 28, 1990, 104 Stat. 4046; Pub. L. 103–115, Oct. 26, 1993, 107 Stat. 1117; Pub. L. 106–113, div. B, § 1000(a)(3) [title III, § 345(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A–203.)

AMENDMENTS

1999—Par. (1). Pub. L. 106–113 substituted ''natural resources'' for ''forestry''.

1993—Par. (3). Pub. L. 103–115 amended par. (3) generally. Prior to amendment, par. (3) read as follows: ''The term 'rural community' means—

''(A) any town, township, municipality, or other similar unit of general purpose local government having a population of not more than 10,000 individuals (according to the latest decennial census) that is located in a county where at least 15 percent of the total primary and secondary labor and proprietor income is derived from forestry, wood products, and forest-related industries such as recreation and tourism; or

''(B) any county or similar unit of general purpose local government having a population of not more than 22,550 individuals (according to the latest decennial census) in which at least 15 percent of the total primary and secondary labor and proprietor income is derived from forestry, wood products, and forest-related industries such as recreation and tourism,

that is located within the boundary, or within 100 miles of the boundary, of a national forest.''

§ 6613. Rural natural resources and economic diversification action teams

(a) Requests for assistance

Economically disadvantaged rural communities may request assistance from the Secretary in identifying opportunities that will promote economic improvement and diversification and revitalization.

(b) Establishment

Upon request, the Secretary may establish rural natural resources and economic diversification action teams to prepare an action plan to provide technical assistance to economically disadvantaged communities. The action plan shall identify opportunities to promote economic diversification and enhance local economies now dependent upon National Forest System land resources. The action team may also identify opportunities to use value-added products and services derived from National Forest System land resources.

(c) Organization

The Secretary shall design and organize any action team established pursuant to subsection (b) of this section to meet the unique needs of the requesting rural community. Each action team shall be directed by an employee of the Forest Service and may include personnel from other agencies within the Department of Agriculture, from other Federal and State departments and agencies, and from the private sector.

(d) Cooperation

In preparing action plans, the Secretary may cooperate with State and local governments, universities, private companies, individuals, and nonprofit organizations for procurement of services determined necessary or desirable.

(e) Eligibility

The Secretary shall ensure that no substantially similar geographical or defined local area in a State receives a grant for technical assistance to an economically disadvantaged community under this subchapter and a grant for assistance under a designated rural development program during any continuous five-year period.

(f) Approval

After reviewing requests under this section for financial and economic feasibility and viability, the Secretary shall approve and implement in accordance with section 6614 of this title those action plans that will achieve the purposes of this subchapter.

(g) "Designated rural development program" defined

In this section, the term ''designated rural development program'' means a program carried out under section 1924(b), 1926(a), or 1932(e) of this title for which funds are available at any time during the fiscal year.

(Pub. L. 101–624, title XXIII, § 2375, Nov. 28, 1990, 104 Stat. 4047; Pub. L. 104–127, title VII, § 753(b)(1), Apr. 4, 1996, 110 Stat. 1131; Pub. L. 106–113, div. B, § 1000(a)(3) [title III, § 345(c)], Nov. 29, 1999, 113 Stat. 1535, 1501A–204.)

AMENDMENTS

1999—Subsec. (b). Pub. L. 106–113 substituted ''natural resources'' for ''forestry'' and substituted ''National Forest System land resources'' for ''national forest resources'' in two places.

1996—Subsec. (e). Pub. L. 104–127, § 753(b)(1)(A), struck out '', as defined in section 2008(b)(2) of this title,'' before ''during any''.

Subsec. (g). Pub. L. 104–127, § 753(b)(1)(B), added subsec. (g).

§ 6614. Action plan implementation

(a) In general

Action plans shall be implemented, insofar as practicable, to upgrade existing industries to use natural resources more efficiently and to expand the economic base of rural communities so as to alleviate or reduce their dependence on National Forest System land resources.

(b) Assistance

To implement action plans, the Secretary may make grants and enter into cooperative agreements and contracts to provide necessary technical and related assistance. Such grants, cooperative agreements, and contracts may be with the affected rural community, State and local governments, universities, corporations, and other persons.

(c) Limitation

The Federal contribution to the overall implementation of an action plan shall not exceed 80 percent of the total cost of the plan, including administrative and other costs. In calculating the Federal contribution, the Secretary shall take into account the fair market value of equipment, personnel, and services provided.

(d) Available authority

The Secretary may use the Secretary's authority under the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101 et seq.) and other Federal, State, and local governmental authorities in implementing action plans.

(e) Consistency with forest plans

The implementation of action plans shall be consistent with land and resource management plans.

(Pub. L. 101–624, title XXIII, § 2376, Nov. 28, 1990, 104 Stat. 4048; Pub. L. 106–113, div. B, § 1000(a)(3) [title III, § 345(d)], Nov. 29, 1999, 113 Stat. 1535, 1501A–204.)

REFERENCES IN TEXT

The Cooperative Forestry Assistance Act of 1978, referred to in subsec. (d), is Pub. L. 95–313, July 1, 1978, 92

Stat. 365, as amended, which is classified principally to chapter 41 (§ 2101 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 2101 of Title 16 and Tables.

AMENDMENTS

1999—Subsec. (a). Pub. L. 106–113 substituted ''natural resources'' for ''forest resources'' and ''National Forest System land resources'' for ''national forest resources''.

§ 6615. Training and education

(a) Programs

In furtherance of an action plan, the Secretary may use the Extension Service and other appropriate agencies of the Department of Agriculture to develop and conduct education programs that assist businesses, elected or appointed officials, and individuals in rural communities to deal with the effects of a transition from being economically disadvantaged to economic diversification. These programs may include—

(1) community economic analysis and strategic planning;

(2) methods for improving and retooling enterprises now dependent on National Forest System land resources;

(3) methods for expanding enterprises and creating new economic opportunities by emphasizing economic opportunities in other industries or services not dependent on National Forest System land resources; and

(4) assistance in the evaluation, counseling, and enhancement of vocational skills, training in basic and remedial literacy skills, assistance in job seeking skills, and training in starting or operating a business enterprise.

(b) Existing educational and training programs

Insofar as practicable, the Secretary shall use existing Federal, State, and private education resources in carrying out these programs.

(Pub. L. 101–624, title XXIII, § 2377, Nov. 28, 1990, 104 Stat. 4048; Pub. L. 106–113, div. B, § 1000(a)(3) [title III, § 345(e)], Nov. 29, 1999, 113 Stat. 1535, 1501A–204; Pub. L. 110–234, title VII, § 7511(c)(26), May 22, 2008, 122 Stat. 1270; Pub. L. 110–246, § 4(a), title VII, § 7511(c)(26), June 18, 2008, 122 Stat. 1664, 2031.)

AMENDMENT OF SUBSECTION (a)

Pub. L. 110–246, title VII, § 7511(c), June 18, 2008, 122 Stat. 2028, 2031, provided that, effective Oct. 1, 2009, subsection (a) of this section is amended by substituting ''National Institute of Food and Agriculture'' for ''Extension Service'' in introductory provisions.

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.

AMENDMENTS

1999—Subsec. (a)(2), (3). Pub. L. 106–113, which directed substitution of ''National Forest System land resources'' for ''national forest resources'' in pars. (3) and (4), was executed by making the substitution in pars. (2) and (3) 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, except as otherwise provided, see section 4 of Pub. L. 110–246, set out as an Effective Date note under section 8701 of this title.

Amendment by section 7511(c)(26) of Pub. L. 110–246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110–246, set out as a note under section 1522 of this title.

§ 6616. Loans to economically disadvantaged rural communities

(a) In general

The Secretary, under such terms and conditions as the Secretary shall establish, may make loans to economically disadvantaged rural communities for the purposes of securing technical assistance and services to aid in the development and implementation of action plans, including planning for—

(1) improving existing facilities in the community that may generate employment or revenue;

(2) expanding existing infrastructure, facilities, and services to capitalize on opportunities to diversify economies now dependent on National Forest System land resources; and

(3) supporting the development of new industries or commercial ventures unrelated to National Forest System land resources.

(b) Interest rates

The interest rates on a loan made pursuant to this section shall be as determined by the Secretary, but not in excess of the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the maturity of such loan, plus not to exceed 1 percent, as determined by the Secretary, and rounded to the nearest one-eighth of 1 percent.

(Pub. L. 101–624, title XXIII, § 2378, Nov. 28, 1990, 104 Stat. 4048; Pub. L. 106–113, div. B, § 1000(a)(3) [title III, § 345(f)], Nov. 29, 1999, 113 Stat. 1535, 1501A–204.)

AMENDMENTS

1999—Subsec. (a)(2), (3). Pub. L. 106–113 substituted ''National Forest System land resources'' for ''national forest resources''.

§ 6617. Authorization of appropriations and spending authority

(a) Authorization of appropriations

Except as provided in subsection (b) of this section, there are authorized to be appropriated—

(1) an amount not to exceed 5 percent of the sum of—

(A) the sums received by the Secretary from sales of timber and other products of the forests; and

(B) user fees paid in connection with the use of forest lands; and

(2) such additional sums as may be necessary to carry out the purposes of this subchapter.

(b) Limitation on authorization

Subsection (a) of this section shall not in any way affect payments to the States pursuant to section 500 of title 16.

(c) Spending authority

Any spending authority (as defined in section 651 of title 2) provided in this subchapter shall be effective for any fiscal year only to such extent or in such amounts as are provided in appropriation Acts.

(Pub. L. 101–624, title XXIII, § 2379, Nov. 28, 1990, 104 Stat. 4049.)

CHAPTER 96—GLOBAL CLIMATE CHANGE

Sec.
6701. Global Climate Change Program.
6702. Study of global climate change, agriculture, and forestry.
6703. Repealed.
6704. Office of International Forestry.
6705. Line item.
6706. Institutes of Tropical Forestry.
6707. Urban forestry demonstration projects.
6708. Biomass energy demonstration projects.
6709. Interagency cooperation to maximize biomass growth.
6710. Authorization of appropriations.
6711. Carbon cycle research.

§ 6701. Global Climate Change Program

(a) Establishment

For the purpose of having within the Department of Agriculture a focal point for coordinating all issues of climate change, the Secretary of Agriculture (hereafter in this chapter referred to as the ''Secretary'') shall establish a Global Climate Change Program (hereafter in this section referred to as the ''Program''). The Secretary shall designate a director of the Program who shall be responsible to the Secretary for carrying out the duties specified in subsections (b) and (c) of this section.

(b) General duties

The Director shall—

(1) coordinate policy analysis, long range planning, research, and response strategies relating to climate change issues;

(2) provide liaison with other Federal agencies, through the Office of Science and Technology Policy, regarding issues of climate change;

(3) inform the Department of scientific developments and policy issues relating to the effects of climate change on agriculture and forestry, including broader issues that affect the impact of climate change on the farms and forests of the United States;

(4) recommend to the Secretary alternative courses of action with which to respond to such scientific developments and policy issues; and

(5) ensure that recognition of the potential for climate change is fully integrated into the research, planning, and decision-making processes of the Department.

(c) Specific responsibilities

The Director shall—

(1) coordinate the global climate change studies required by section 6702 of this title;

(2) provide, through such other agencies as the Secretary determines appropriate, competitive grants for research in climatology relating to the potential impact of climate change on agriculture;

(3) coordinate the participation of the Department in interagency climate-related activities;

(4) consult with the National Academy of Sciences and private, academic, State, and local groups with respect to climate research and related activities;

(5) represent the Department to the Office of Science and Technology Policy and coordinate the activities of the Department in response to requirements of this chapter;

(6) represent the Department on the Intergovernmental Panel on Climate Change; and

(7) review all Department budget items relating to climate change issues, including specifically the research budget to be submitted by the Secretary to the Office of Science and Technology Policy and the Office of Management and Budget.

(Pub. L. 101–624, title XXIV, § 2402, Nov. 28, 1990, 104 Stat. 4058.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (c)(5), was in the original ''this title'', meaning title XXIV of Pub. L. 101–624, Nov. 28, 1990, 104 Stat. 4058, which is classified generally to this chapter. For complete classification of title XXIV to the Code, see Short Title note below and Tables.

SHORT TITLE

Section 2401 of title XXIV of Pub. L. 101–624 provided that: ''This title [enacting this chapter and amending sections 1601 and 1602 of Title 16, Conservation] may be cited as the 'Global Climate Change Prevention Act of 1990'.''

§ 6702. Study of global climate change, agriculture, and forestry

(a) Crops

(1) In general

The Secretary shall study the effects of global climate change on agriculture and forestry. The study shall, at a minimum address—

(A) the effects of simultaneous increases in temperature and carbon dioxide on crops of economic significance;

(B) the effects of more frequent or more severe weather events on such crops;

(C) the effects of potential changes in hydrologic regimes on current crop yields;

(D) the economic effects of widespread and increased drought frequency in the south, midwest, and plains States; and

(E) changes in pest problems due to higher temperatures.

(2) Further studies

If the results of the study conducted under paragraph (1) warrant, the Secretary shall conduct further studies that address the means of mitigating the effects of global climate change on crops of economic significance that shall, at a minimum—

(A) identify whether climate change tolerance can be bred into these crops, the amount of time necessary for any such breeding, and the effects on the income of farmers;

(B) evaluate existing genetic resource and breeding programs for crops for their ability