

## **International Forestry Cooperation Act of 1990**

[Public Law 101–513]

[As Amended Through P.L. 103–437, Enacted November 2, 1994]

【Currency: This publication is a compilation of the text of the Title VI of Public 101-513. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1991, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## **TITLE VI—INTERNATIONAL FORESTRY COOPERATION**

### **SEC. 601. [16 U.S.C. 4501 note] SHORT TITLE.**

This title may be cited as the “International Forestry Cooperation Act of 1990”.

### **SEC. 602. [16 U.S.C. 4501] FORESTRY AND RELATED NATURAL RESOURCE ASSISTANCE.**

(a) **FOCUS OF ACTIVITIES.**—To achieve the maximum impact from activities undertaken under the authority of this title, the Secretary shall focus such activities on the key countries which could have a substantial impact on emissions of greenhouse gases related to global warming.

(b) **AUTHORITY FOR INTERNATIONAL FORESTRY ACTIVITIES.**—In support of forestry and related natural resource activities outside of the United States and its territories and possessions, the Secretary of Agriculture may—

(1) provide assistance that promotes sustainable development and global environmental stability, including assistance for—

(A) conservation and sustainable management of forest land;

(B) forest plantation technology and tree improvement;

(C) rehabilitation of cutover lands, eroded watersheds, and areas damaged by wildfires or other natural disasters;

- (D) prevention and control of insects, diseases, and other damaging agents;
  - (E) preparedness planning, training, and operational assistance to combat natural disasters;
  - (F) more complete utilization of forest products leading to resource conservation;
  - (G) range protection and enhancement; and
  - (H) wildlife and fisheries habitat protection and improvement;
  - (2) share technical, managerial, extension, and administrative skills related to public and private natural resource administration;
  - (3) provide education and training opportunities to promote the transfer and utilization of scientific information and technologies;
  - (4) engage in scientific exchange and cooperative research with foreign governmental, educational, technical and research institutions; and
  - (5) cooperate with domestic and international organizations that further international programs for the management and protection of forests, rangelands, wildlife and fisheries, and related natural resource activities.
- (c) **ELIGIBLE COUNTRIES.**—The Secretary shall undertake the activities described in subsection (b), in countries that receive assistance from the Agency for International Development only at the request, or with the concurrence, of the Administrator of the Agency for International Development.

**SEC. 603. [16 U.S.C. 4502] TROPICAL DEFORESTATION ASSESSMENT AND ASSISTANCE.**

In support of the Tropical Forestry Action Plan and to specifically address tropical deforestation and degradation, the Secretary may—

- (1) support and actively participate in global and regional meetings that seek to reform such Plan;
- (2) together with the United States Agency for International Development,<sup>1</sup> and other Federal agencies, provide technical assistance to tropical countries for the formulation of national forestry sector development strategies; and
- (3) cooperate with tropical countries on research, training, and technical programs aimed at implementing national forestry sector development strategies.

**SEC. 604. [16 U.S.C. 4503] INSTITUTE OF TROPICAL FORESTRY IN PUERTO RICO.**

(a) **EXPANSION.**—The Secretary shall expand the capabilities of and construct additional facilities at the Caribbean National Forest and Institute of Tropical Forestry in Puerto Rico, as the Secretary determines necessary to support the purpose of this title, and as funds are appropriated for such expansion and construction.

(b) **TROPICAL FORESTRY PLANS.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall prepare and submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Agriculture of the House of Rep-

<sup>1</sup> So in original. The comma probably should not appear.

representatives, and to the Committees on Appropriations of the Senate and House of Representatives, a tropical forestry plan for the expansion and construction of additional facilities under subsection (a). Such plan shall include provisions for—

- (1) the construction or acquisition of a major center for education, interpretation, and appreciation of the benefits and methods of the intelligent management of tropical forests;
- (2) the acquisition or construction of facilities for housing and classroom instruction near the Caribbean National Forest/Luguillo Experimental Forest; and
- (3) the acquisition or construction of facilities for the study and recovery of endangered tropical wildlife, fish and plant species.

**SEC. 605. [16 U.S.C. 4503a] INSTITUTE OF PACIFIC ISLANDS FORESTRY.**

(a) **EXPANSION.**—The Secretary shall expand the capabilities of and construct additional facilities, as funds are appropriated for the expansion and construction, at—

- (1) the Institute of Pacific Islands Forestry; and
- (2) tropical forests in the State of Hawaii.

(b) **TROPICAL FORESTRY PLAN.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of receipt by the Secretary of the action plan required by section 5(b) of the Hawaii Tropical Forest Recovery Act, the Secretary shall prepare and submit to the Committee on Agriculture and the Committee on Natural Resources of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and to the Committees on Appropriations of the House of Representatives and Senate, a tropical forestry plan to expand the capabilities of and construct additional facilities under subsection (a).

(2) **ELEMENTS.**—The plan shall provide for—

(A) the establishment of a model center for research, demonstration, education, training, and outreach activities suitable for transferring scientific, technical, managerial, and administrative assistance to governmental and non-governmental organizations seeking to address problems associated with tropical forests within and outside the United States;

(B) the acquisition or construction of facilities for research, classroom instruction, and housing near an experimental tropical forest in the State of Hawaii;

(C) the acquisition or construction of facilities for the study and recovery of endangered tropical wildlife, fish, and plant species and the restoration of their habitats;

(D) the study of biological control of non-native species that degrade or destroy native forest ecosystems;

(E) achieving a better understanding of global climate change and the significance of achieving a reduction of greenhouse gases through research associated with the unique atmospheric conditions found in Hawaii and the Pacific Ocean;

(F) a review of the extent to which existing Federal forestry programs can be utilized to achieve the purposes of the plan; and

(G) the establishment of experimental tropical forests in the State of Hawaii as authorized by section 606.

(3) CAPABILITY.—In preparing elements of the plan that address paragraph (2)(F), the Secretary shall identify the capability of the plan—

(A) to promote a greater understanding of tropical forest ecosystem processes, conservation biology, and biodiversity management;

(B) to demonstrate the various benefits of maintaining a tropical forest reserve system;

(C) to promote sound watershed and forest management;

(D) to develop compatible land uses adjacent to protected natural areas; and

(E) to develop new methods of reclaiming and restoring degraded lands.

**SEC. 606. [16 U.S.C. 4503b] HAWAII EXPERIMENTAL TROPICAL FOREST.**

(a) DEFINITIONS.—As used in this section:

(1) FOREST.—The term “Forest” means the Hawaii Experimental Tropical Forest.

(2) GOVERNOR.—The term “Governor” means the Governor of Hawaii.

(3) LANDS.—The term “lands” means lands, waters, and interests in lands and waters.

(4) STATE.—The term “State” means the State of Hawaii.

(b) ESTABLISHMENT AND MANAGEMENT.—At the request of the Governor, the Secretary shall establish and administer within the State a Hawaii Experimental Tropical Forest. The Forest shall be managed as—

(1) a model of quality tropical forest management where harvesting on a sustainable yield basis can be demonstrated in balance with natural resource conservation;

(2) a site for research on tropical forestry, conservation biology, and natural resource management; and

(3) a center for demonstration, education, training, and outreach on tropical forestry, conservation biology, and natural resources research and management,

(c) DELINEATION OF THE LOCATION OF THE FOREST.—

(1) IDENTIFICATION OF LANDS.—The Governor and the Secretary shall identify one or more suitable sites for the Forest in lands within the State. The identification of each site shall be based on scientific, ecological, administrative, and such other factors as the Governor and Secretary consider to be necessary or desirable to achieve the purposes of this section. Each site identified pursuant to the preceding sentence shall be of sufficient size and located so that the site can be effectively managed for Forest purposes.

(2) EXTERIOR BOUNDARIES.—The exterior boundaries of the Forest, including the boundaries of all sites identified for Forest purposes, shall be delineated on an official map. The map

Public shall be available for public inspection in the office of the Administrator of the Division of Forestry and Wildlife of the Department of Land and Natural Resources of the State. The Governor and the Secretary may from time to time, by mutual agreement, amend the official map to modify the boundaries of the Forest.

(d) AUTHORITIES OF THE SECRETARY.—

(1) IN GENERAL.—To carry out the purposes of this section, the Secretary is authorized—

(A) to administer the Forest in cooperation with the Governor and affected State agencies;

(B) to make grants and enter into contracts and cooperative agreements with the Federal Government, the government of the State, local governments, corporations, non-profit organizations and individuals;

(C) to exercise existing authority with respect to cooperative forestry and research for Forest purposes; and

(D) to issue necessary rules and regulations or apply existing rules and regulations applicable to areas administered by the Forest Service that are necessary or desirable to administer the Forest—

(i) for the purposes described in subsection (b);

(ii) to protect persons within the Forest; and

(iii) to preserve and protect the resources in the Forest.

(2) LAND ACQUISITION.—The authority in section 4 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1643) shall be available to the Secretary to carry out this section.

(3) STATUTORY CONSTRUCTION.—Nothing in this section is intended to affect the jurisdiction of the State, both civil and criminal, over any person within the Forest by reason of the establishment of the Forest under this section, except in the case of a penalty for an offense against the United States.

#### **SEC. 607. ANNUAL REPORT ON INSTITUTES OF TROPICAL FORESTRY.**

The Secretary shall make annual reports to Congress on the progress, needs, and long-range plans of the Institutes of Tropical Forestry in meeting the requirements of section 2407 of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6706). Such reports shall be submitted by the Secretary pursuant to section 8(c) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1606(c)).

#### **SEC. 608. [16 U.S.C. 4503d] DEFINITIONS.**

As used in this title (unless the context otherwise requires):

(1) INSTITUTES OF TROPICAL FORESTRY.—The term “Institutes of Tropical Forestry” means the Institute of Tropical Forestry in Puerto Rico and the Institute of Pacific Islands Forestry established under section 2407 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6706).

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(3) STATE.—The term “State” means each of the 50 States, Guam, American Samoa, the Republic of Palau (until the Com-

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pact of Free Association enters into effect), Puerto Rico, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

**SEC. 609. [16 U.S.C. 4504] ADMINISTRATIVE PROVISIONS.**

(a) COORDINATION OF ACTIVITIES.—The Secretary shall coordinate all activities outside of the United States under this title with other Federal officials, departments, agencies, and international organizations, as the President may require.

(b) ASSISTANCE.—The Secretary may provide assistance, as determined appropriate by the Secretary to carry out this title, including technical and financial assistance, equipment, and facilities without reimbursement.

**SEC. 610. [16 U.S.C. 4505] AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out this title.

【Section 611—Omitted. Amends another Act】