

Council and direct its work. The Co-Chairs shall keep the Council apprised of all Federal efforts related to the subject of this order. The Co-Chairs and members of the Council shall also coordinate with the Vice Chairs on communications with the Initiative and related parties regarding any Federal Government interactions with the Initiative.

SEC. 3. *Agency Roles and Responsibilities.* All members of the Council who are heads of agencies shall:

(a) include Council-related activities within their respective strategic planning processes; and

(b) provide to the Co-Chairs, Vice Chairs, and the Director of the Office of Management and Budget, pursuant to the Council protocol established under section 4(e) of this order, regular progress reports on their respective agencies' activities, if any, relating to the growth, restoration, and conservation of trees.

SEC. 4. *Council Mission and Functions.* The mission of the Council shall be to promote an increase in Federal Government activities and other national efforts that further the Initiative by growing, restoring, and conserving trees. The Council shall:

(a) develop and implement a strategy that includes a methodology that the Federal Government will use to track and measure any Federal activities related to the Initiative, specifically with respect to trees grown, restored, and conserved;

(b) identify statutory, regulatory, and other limitations that inhibit the Federal Government from taking additional actions in furtherance of the Initiative, and recommend potential administrative and legislative actions to remedy such limitations;

(c) identify opportunities to use existing authorities and existing or future authorized and appropriated funds to promote efforts to protect and restore trees, and to promote the active management of existing Federal lands to facilitate growth, restoration, and conservation of trees;

(d) inform State, local, and tribal officials of Federal efforts to protect, grow, and actively manage forests and woodlands on Federal lands; and

(e) establish a protocol for the submission by members of the Council who are heads of agencies of regular progress reports to the Co-Chairs, Vice Chairs, and the Director of the Office of Management and Budget on the activities, if any, of these members' respective agencies relating to the growth, restoration, and conservation of trees.

SEC. 5. *Termination.* The Council shall terminate on December 31, 2030.

SEC. 6. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

### § 2101a. State-wide assessment and strategies for forest resources

#### (a) Assessment and strategies for forest resources

For a State to be eligible to receive funds under the authorities of this chapter, the State forester of that State or equivalent State official shall develop and submit to the Secretary, not later than two years after the date of enactment of the Food, Conservation, and Energy Act of 2008, the following:

(1) A State-wide assessment of forest resource conditions, including—

(A) the conditions and trends of forest resources in that State;

(B) the threats to forest lands and resources in that State consistent with the national priorities specified in section 2101(c) of this title;

(C) any areas or regions of that State that are a priority; and

(D) any multi-State areas that are a regional priority.

(2) A long-term State-wide forest resource strategy, including—

(A) strategies for addressing threats to forest resources in the State outlined in the assessment required by paragraph (1); and

(B) a description of the resources necessary for the State forester or equivalent State official from all sources to address the State-wide strategy.

#### (b) Updating

At such times as the Secretary determines to be necessary, the State forester or equivalent State official shall update and resubmit to the Secretary the State-wide assessment and State-wide strategy required by subsection (a).

#### (c) Coordination

In developing or updating the State-wide assessment and State-wide strategy required by subsection (a), the State Forester or equivalent State official shall coordinate with—

(1) the State Forest Stewardship Coordinating Committee established for the State under section 2113(b) of this title;

(2) the State wildlife agency, with respect to strategies contained in the State wildlife action plans;

(3) the State Technical Committee;

(4) applicable Federal land management agencies;

(5) as feasible, appropriate military installations where the voluntary participation and management of private or State-owned or other public forestland is able to support, promote, and contribute to the missions of such installations; and

(6) for purposes of the Forest Legacy Program under section 2103c of this title, the State lead agency designated by the Governor.

#### (d) Incorporation of other plans

In developing or updating the State-wide assessment and State-wide strategy required by subsection (a), the State forester or equivalent State official shall incorporate any forest management plan of the State, including community wildfire protection plans and State wildlife action plans.

#### (e) Sufficiency

Once approved by the Secretary, a State-wide assessment and State-wide strategy developed under subsection (a) shall be deemed to be sufficient to satisfy all relevant State planning and assessment requirements under this chapter.

#### (f) Funding

##### (1) Authorization of appropriations

There are authorized to be appropriated to carry out this section up to \$10,000,000 for each of fiscal years 2008 through 2023.

**(2) Additional funding sources**

In addition to the funds appropriated for a fiscal year pursuant to the authorization of appropriations in paragraph (1) to carry out this section, the Secretary may use any other funds made available for planning under this chapter to carry out this section, except that the total amount of combined funding used to carry out this section may not exceed \$10,000,000 in any fiscal year.

**(g) Annual report on use of funds**

The State forester or equivalent State official shall submit to the Secretary an annual report detailing how funds made available to the State under this chapter are being used.

(Pub. L. 95-313, §2A, as added Pub. L. 110-234, title VIII, §8002, May 22, 2008, 122 Stat. 1280, and Pub. L. 110-246, §4(a), title VIII, §8002, June 18, 2008, 122 Stat. 1664, 2041; amended Pub. L. 113-79, title VIII, §8101, Feb. 7, 2014, 128 Stat. 914; Pub. L. 115-334, title VIII, §8101, Dec. 20, 2018, 132 Stat. 4837.)

**Editorial Notes**

## REFERENCES IN TEXT

This chapter, referred to in subsecs. (a), (e), (f)(2), and (g), was in the original “this Act”, meaning Pub. L. 95-313, July 1, 1978, 92 Stat. 365, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2101 of this title and Tables.

The date of enactment of the Food, Conservation, and Energy Act of 2008, referred to in subsec. (a), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

## 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. (f)(1). Pub. L. 115-334 substituted “2023” for “2018”.

2014—Subsec. (c)(5), (6). Pub. L. 113-79, §8101(1), added par. (5) and redesignated former par. (5) as (6).

Subsec. (f)(1). Pub. L. 113-79, §8101(2), substituted “2018” for “2012”.

**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.

**§ 2102. Rural forestry assistance****(a) Assistance to forest landowners and others**

The Secretary may provide financial, technical, educational, and related assistance to State foresters or equivalent State officials, and State extension directors, to enable such officials to provide technical information, advice, and related assistance to private forest land owners and managers, vendors, forest resource operators, forest resource professionals, public agencies, and individuals to enable such persons to carry out activities that are consistent with the purposes of this chapter, including—

(1) protecting, maintaining, enhancing, restoring, and preserving forest lands and the multiple values and uses that depend on such lands;

(2) identifying, protecting, maintaining, enhancing, and preserving wildlife and fish species, including threatened and endangered species, and their habitats;

(3) implementing forest management technologies;

(4) selecting, producing, and marketing alternative forest crops, products and services from forest lands;

(5) protecting forest land from damage caused by fire, insects, disease, and damaging weather;

(6) managing the rural-land and urban-land interface to balance the use of forest resources in and adjacent to urban and community areas;

(7) identifying and managing recreational forest land resources;

(8) identifying and protecting the aesthetic character of forest lands;

(9) protecting forest land from conversion to alternative uses; and

(10) the management of resources of forest lands, including—

(A) the harvesting, processing, and marketing of timber and other forest resources and the marketing and utilization of wood and wood products;

(B) the conversion of wood to energy for domestic, industrial, municipal, and other uses;

(C) the planning, management, and treatment of forest land, including site preparation, reforestation, thinning, prescribed burning, and other silvicultural activities designed to increase the quantity and improve the quality of timber and other forest resources;

(D) ensuring that forest regeneration or reforestation occurs if needed to sustain long-term resource productivity;

(E) protecting and improving forest soil fertility and the quality, quantity, and timing of water yields; and

(F) encouraging the investment of a portion of the proceeds from the sale of timber or other forest resources in stewardship activities that preserve, protect, maintain, and enhance their forest land.

**(b) State forestry assistance**

The Secretary is authorized to provide financial, technical, and related assistance to State foresters, or equivalent State officials, to—

(1) develop genetically improved tree seeds;

(2) develop and contract for the development of field arboretums, greenhouses, and tree nurseries, in cooperation with a State, to facilitate production and distribution of tree seeds and seedlings in States where the Secretary determines that there is an inadequate capacity to carry out present and future reforestation needs;

(3) procure, produce, and distribute tree seeds and trees for the purpose of establishing forests, windbreaks, shelterbelts, woodlots, and other plantings;