



Forestry Assistance Programs

Ross W. Gorte

Specialist in Natural Resources Policy

January 15, 2009

Congressional Research Service

7-5700

www.crs.gov

RL31065

CRS Report for Congress

Prepared for Members and Committees of Congress

Summary

The U.S. Department of Agriculture (USDA) has numerous programs to support management of state and private forests. These programs are under the jurisdiction of the Agriculture Committees and are often examined in the periodic legislation to reauthorize agricultural programs, commonly known as farm bills. The 2008 farm bill (P.L. 110-246) included a forestry title with numerous provisions, and forestry activities were included in several other titles, as well. Congress might oversee the implementation as well as the funding of these programs.

Forestry-specific assistance programs (as opposed to agriculture conservation programs that include forestry activities) are all administered by the USDA Forest Service (FS), with permanent authorization of funding as needed. Some programs provide technical assistance—information, advice, and aid on specific projects. Other programs provide financial assistance, typically through grants (with or without matching contributions from recipients) or cost-sharing (with varying levels of contributions from recipients). Many programs provide both.

Most of the programs provide assistance to the states. The state agencies can use the assistance on state forestlands or to assist local governments or private landowners. How the states use the funds is largely at the discretion of the states, within the authorizations of each program; however, the 2008 farm bill added national priorities for state assistance and state-wide assessments and strategies to focus state efforts on achieving the national priorities. Funds are appropriated for planning and implementing forestry and related land management practices—site preparation for reforestation, tree planting, thinning, pruning, fertilizing, prescribed burning, restoring watersheds, improving wildlife habitats, and other activities. Other programs provide support for protecting forestlands from wildfires, insects and diseases, and from clearing forests for nonforest uses (such as growing crops or building houses). Two programs are designed specifically to assist landowners to recover or restore forests following catastrophic events, such as wildfires. Additional programs provide economic assistance for communities in or near federal forests whose economies have traditionally relied on forests and forest resources. In addition, International Forestry is often included as a forestry assistance program, because it provides technical forestry help and because it has often been funded out of FS appropriations for forestry assistance programs.

Finally, states are authorized to request consolidated payments, for flexibility in program administration, and several coordinating or advisory groups exist to coordinate programs or for specific purposes under one or more programs.

Funding for the forest management assistance programs—forest stewardship and urban and community forestry—have fluctuated over the past five years. Forest protection programs—forest health (for insect and disease identification and control), fire assistance, and forest legacy (for easements to prevent forest clearing)—grew substantially in 2001, and have remained at relatively high levels. Forest recovery programs have not been funded in recent years. Funding for economic assistance programs has declined after peaking in FY2001.

Contents

| | |
|--|----|
| Overview | 1 |
| Assistance for Forest Management Practices | 4 |
| Forest Stewardship | 5 |
| Purposes | 5 |
| Activities | 5 |
| Eligibility | 6 |
| Authorization and Appropriations..... | 6 |
| Rural Forestry Assistance..... | 7 |
| Purposes | 7 |
| Activities | 7 |
| Eligibility | 7 |
| Authorization and Appropriations..... | 7 |
| Financial, Technical, and Related Assistance to States | 7 |
| Purpose..... | 7 |
| Activities | 7 |
| Eligibility | 8 |
| Authorization and Appropriations..... | 8 |
| Urban and Community Forestry Assistance..... | 8 |
| Purposes | 8 |
| Activities | 9 |
| Eligibility | 9 |
| Authorization and Appropriations..... | 9 |
| Assistance for Forest Protection..... | 10 |
| Forest Health Protection..... | 10 |
| Purposes | 10 |
| Activities | 10 |
| Eligibility | 11 |
| Authorization and Appropriations..... | 11 |
| Rural Fire Protection | 12 |
| Purpose..... | 12 |
| Activities | 12 |
| Eligibility | 12 |
| Authorization and Appropriations..... | 12 |
| Forest Legacy | 13 |
| Purposes | 13 |
| Activities | 13 |
| Eligibility | 14 |
| Authorization and Appropriations..... | 14 |
| Community Fire Protection..... | 14 |
| Purpose..... | 14 |
| Activities | 14 |
| Eligibility | 15 |
| Authorization and Appropriations..... | 15 |
| Community Forest and Open Space Conservation..... | 15 |
| Purpose..... | 15 |
| Activities | 15 |

| | |
|--|----|
| Eligibility | 15 |
| Authorization and Appropriations..... | 16 |
| Assistance for Forest Recovery or Restoration | 16 |
| Emergency Reforestation Assistance | 16 |
| Purpose..... | 16 |
| Activities | 16 |
| Eligibility | 16 |
| Authorization and Appropriations..... | 17 |
| Emergency Forest Restoration | 17 |
| Purpose..... | 17 |
| Activities..... | 17 |
| Eligibility | 17 |
| Authorization and Appropriations..... | 17 |
| Economic Assistance | 18 |
| Economic Action..... | 18 |
| Purpose..... | 18 |
| Activities | 18 |
| Eligibility | 18 |
| Authorization and Appropriations..... | 19 |
| Cooperative National Forest Products Marketing Program | 19 |
| Purpose..... | 19 |
| Activities | 19 |
| Eligibility | 20 |
| Authorization and Appropriations..... | 20 |
| International Forestry | 20 |
| Purpose..... | 20 |
| Activities | 20 |
| Eligibility | 20 |
| Authorization and Appropriations..... | 20 |
| Related Provisions | 21 |
| Consolidation of Payments | 21 |
| The National Urban and Community Forestry Advisory Council | 21 |
| Forest Resource Coordinating Committee..... | 22 |
| State Forest Stewardship Coordinating Committees..... | 23 |
| Summary and Conclusions | 23 |

Tables

| | |
|---|----|
| Table 1. USDA Forestry Assistance Programs | 2 |
| Table 2. Forestry Assistance Program Activities | 3 |
| Table 3. Appropriations for Forest Stewardship, FY2004-FY2008..... | 6 |
| Table 4. Appropriations for Urban and Community Forestry, FY2004-FY2008 | 10 |
| Table 5. Appropriations for Forest Health Protection, FY2004-FY2008 | 11 |
| Table 6. Appropriations for Rural Fire Protection, FY2004-FY2008 | 13 |
| Table 7. Appropriations for Forest Legacy, FY2004-FY2008..... | 14 |

Table 8. Appropriations for Economic Action, FY2004-FY2008 19
Table 9. Appropriations for International Forestry, FY2004-FY2008..... 21

Contacts

Author Contact Information 24

The federal government has numerous programs to support forest management on state and private forestlands, primarily administered by the Forest Service (FS) in the U.S. Department of Agriculture (USDA). The House and Senate Agriculture Committees often examine these programs in the periodic legislation to reauthorize agriculture programs, commonly known as farm bills. The 2008 farm bill (P.L. 110-246) contained a forestry title (as did three of the previous four farm bills) and addressed forests and forestry practices in several other titles.¹ Congress provides annual appropriations for these programs, and may oversee their implementation.

This report describes the current forestry assistance programs funded through the State and Private Forestry (S&PF) branch of the FS.² Following a brief overview, this report presents basic information on the programs to assist forestry practices, forest protection, forest recovery, and rural economies—the purposes of the programs, types of activities funded, eligibility requirements, and authorized program duration and funding level, with recent program appropriations.

Overview

Federal forestry assistance for nonfederal landowners has been a part of USDA programs for more than a century. Initial forestry assistance efforts began with the creation of the USDA Division of Forestry in 1881 (to complement forestry research begun with funding in 1876). Forestry assistance and research programs grew slowly, and in 1901 the Division was upgraded to the USDA Bureau of Forestry. In 1905, the USDA Bureau merged with the Interior Department's Division of Forestry (which administered the forest reserves, later renamed national forests) and became the USDA—FS. Forestry assistance, the primary mission of the State and Private Forestry (S&PF) branch, together with forestry research and management of the National Forest System, comprise the three primary FS missions.

Authority for the forestry assistance programs was reestablished and coordinated in the Clarke-McNary Act of 1924 (ch. 348, 43 Stat. 653). This law guided these programs for more than half a century, until it was revised in the Cooperative Forestry Assistance Act of 1978 (CFAA, P.L. 95-313; 16 U.S.C. §§ 2101 et seq.). The CFAA has been amended several times, including in the four most recent farm bills. The Food, Agriculture, Conservation, and Trade Act of 1990—the 1990 farm bill (P.L. 101-624)—added and rewrote several of the CFAA sections. The Federal Agriculture Improvement and Reform Act of 1996—the 1996 farm bill (P.L. 104-127)—made a few additions and modifications to the CFAA (as amended). The Farm Security and Rural Investment Act of 2002—the 2002 farm bill (P.L. 107-171)—replaced two CFAA provisions (as amended) with a new provision, and created another new program. Finally, the Food, Conservation, and Energy Act of 2008—the 2008 farm bill (P.L. 110-246)—established national priorities and a process for states to address them, while adding and modifying other programs.

There are currently more than a dozen forestry assistance programs, as shown in **Table 1**. The programs are administered by the FS, with permanently authorized funding but without specified

¹ See CRS Report RL33917, *Forestry in the 2008 Farm Bill*, by Ross W. Gorte.

² Assistance for forestry practices is also available through many agricultural conservation programs, generally under the USDA Natural Resources Conservation Service. For information on these programs, see CRS Report RL32940, *Agriculture Conservation Programs: A Scorecard*, by Tadlock Cowan and Renée Johnson.

funding levels. No forestry assistance programs have mandatory spending; all require annual funding, and all are funded in the annual Interior appropriations acts. **Table 1** identifies the U.S. Code citation, the authorized duration and level of funding, and FY2008 enacted funding for each program. Note that some programs are combined for funding purposes. Programs are listed in decreasing order of FY2008 appropriations, with the two new programs listed last.

Table 1. USDA Forestry Assistance Programs

| Program | U.S. Code Citation | Authorization | | FY2008 Enacted Funding |
|--|------------------------|---------------|------------------------|------------------------|
| | | Duration | Funding | |
| Forest Health Protection | 16 U.S.C. § 2104 | permanent | as needed | \$123 million |
| Rural Fire Protection ^a | 16 U.S.C. § 2106 | permanent | as needed | \$94 million |
| Forest Legacy | 16 U.S.C. § 2103c | permanent | as needed | \$52 million |
| Forest Stewardship | 16 U.S.C. § 2103a | permanent | as needed | \$30 million |
| Rural Forestry Assistance | 16 U.S.C. § 2102 | permanent | as needed | ^b |
| Assistance to States | 16 U.S.C. § 2107 | permanent | as needed | ^b |
| Urban Forestry | 16 U.S.C. § 2105 | permanent | as needed | \$28 million |
| International Forestry | 16 U.S.C. §§ 4501-4505 | permanent | as needed | \$7 million |
| Economic Action | 7 U.S.C. §§ 6611-6617 | permanent | as needed ^c | \$4 million |
| Wood Product Marketing | 16 U.S.C. § 2112 | permanent | as needed | ^d |
| Emergency Reforestation | 16 U.S.C. § 2106a | unspecified | unspecified | \$0 |
| Community Fire Protection | 16 U.S.C. § 2106c | permanent | as needed ^e | \$0 |
| Community Forest and Open Space Conservation | 16 U.S.C. § 2103d | permanent | as needed | \$0 |
| Emergency Forest Restoration | 16 U.S.C. §§ 2201-2204 | permanent | as needed | \$0 |

- a. Includes both State Fire Assistance and Volunteer Fire Assistance programs. Authorized funding is \$35 million annually in cost sharing and “as needed” for other activities.
- b. Since FY1993, Congress has funded this program as part of the Forest Stewardship program.
- c. Up to 5% of FS receipts from sales and user fees, plus added funds “as needed.”
- d. Since FY1993, Congress has funded this program as part of the Economic Action Program.
- e. Authorized at \$35 million annually for FY2002-FY2007, “as needed” thereafter.

Many forestry assistance programs are intended to provide assistance to the states for undertaking forestry practices intended to improve timber productivity or to enhance other resource values. These are shown in **Table 2** as forest management assistance programs.³ For the first time since at least 1978, no forestry program exists to provide cost-sharing for forestry practices on private lands. However, the 2008 farm bill expanded the definition of authorized conservation practices

³ The forestry program to provide financial assistance to private landowners for forest management—the Forest Land Enhancement Program (that replaced the Forestry Incentives and Stewardship Incentives Programs in 2002)—was not reauthorized in the 2008 farm bill.

for agricultural conservation programs generally to include forestry practices, and thus financial assistance to private forest landowners may be feasible through the conservation programs.⁴

Table 2. Forestry Assistance Program Activities

| Program | Type of Aid | Eligible Recipients | Primary Activities |
|--|--------------------|--|--|
| Forest Management Practices | | | |
| Forest Stewardship | tech. & financial | states | planning; tree planting; thinning; watershed restoration; wildlife habitat improvement |
| Rural Forestry Assistance | tech. & financial | states | planning; produce & distribute tree seeds & seedlings; protect soils |
| Assistance to States | tech. & financial | states | planning, organization, & management; data collection & management |
| Urban & Community Forestry | tech. & financial | state & local govts., private orgs. | planning; education; tree planting & maintenance |
| Forest Protection | | | |
| Forest Health Protection | tech. & financial | governments—federal, state, & local | survey, prevent, retard, or control insects & diseases |
| Rural Fire Protection | tech. & financial | states; volunteer fire departments | systems for fire prevention, control, & use; fire equipment & training; etc. |
| Forest Legacy | financial | states | purchase forestlands or easements for forests threatened with conversion to other uses |
| Community Fire Protection | tech. & financial | communities | planning; fuel reduction; education; wood utilization & marketing |
| Community Forest & Open Space Conservation | financial | local govts., Indian tribes, nonprofit orgs. | purchase forestlands or easements for forests threatened with conversion to other uses |
| Forest Recovery & Restoration | | | |
| Emergency Reforestation | financial | private landowners | site preparation & tree planting for areas with trees killed by natural disasters |
| Emergency Forest Restoration | financial | private landowners | restoration of forested areas damaged by natural disasters |
| Economic Assistance | | | |
| Economic Action | tech. & financial | rural communities, workers, firms | planning; training & education; loans for infrastructure & facilities |
| Wood Product Marketing | tech. & financial | states, firms, & private landowners | domestic & export marketing |
| International Forestry | technical | other countries | planning & management; fire, insect, & disease prevention & control; rehabilitation |

⁴ For information on USDA conservation programs, see CRS Report RL34557, *Conservation Provisions of the 2008 Farm Bill*, by Tadlock Cowan and Renée Johnson.

Some programs provide assistance for protecting forestlands from wildfire, insects, diseases, and for preventing conversion of forests to nonforest uses (e.g., agriculture, residences). **Table 2** shows these as forest protection programs. Forest health and community fire protection activities can be applied on private lands with the cooperation of the landowner. Most other forest protection programs provide financial and/or technical assistance to government or quasi-government entities—states, local governments, communities, volunteer fire departments, Indian tribes. The new Community Forestry and Open Space Conservation program also allows grants to nonprofit organizations.

Two programs provide funding directly to private landowners in response to disasters. The Emergency Reforestation Program was created in 1990, and has not been funded since 1993. The Emergency Forest Restoration Program was created in the 2008 farm bill as an amendment to an existing agricultural conservation program to assist landowners in recovering from natural disasters.

Two other programs provide assistance to communities whose economic well-being has traditionally depended on federal forests. These are shown as economic assistance programs in **Table 2**. In addition, International Forestry has been included, because (a) it provides technical assistance to other nations on forestry matters, and (b) it has often been funded out of FS—S&PF appropriations.

Table 2 also shows the type of assistance available under each program. Some programs provide only technical assistance, which can range from relevant existing information to advice and aid on specific projects. Other programs provide financial assistance. Typically these programs are grants (with or without contributions from recipients) or cost-sharing (with varying levels of matching contributions from recipients), although two programs have other “financial” provisions: (1) Forest Health Protection funds FS activities to survey and to control insects or diseases on state or private lands (with the consent and cooperation of the landowner); and (2) Forest Legacy includes federal purchase of lands or easements as well as grants to states. Many programs include both technical and financial assistance.

Assistance for Forest Management Practices

Four forestry assistance programs provide financial and/or technical aid for planning and implementing forestry practices (establishing and managing stands of trees) on nonfederal lands. Two of the programs (Rural Assistance and Assistance to States) have been funded through a third FS program (Forest Stewardship). Historically, forestry assistance has included programs with cost-share assistance to private landowners for forestry practices on their lands, but the forestry-specific landowner assistance program created in the 2002 farm bill (the Forest Land Enhancement Program) was not reauthorized in the 2008 farm bill.⁵

⁵ The Forest Land Enhancement Program (FLEP) in the 2002 farm bill replaced the Forestry Incentives Program (FIP) created in the Cooperative Forestry Assistance Act of 1978 and the Stewardship Incentives Program (SIP) added in the 1990 farm bill. FLEP was created with \$100 million in mandatory spending through FY2007, but some funds were borrowed to pay for firefighting and others were cancelled. Ultimately, only about half of the mandatory funds were actually spent on landowner assistance. FIP appropriations had been between \$10 and \$15 million annually through FY1994 and between \$5 and \$7 million annually from FY1995 through FY2002 (except for \$16.6 million in FY1999). SIP funding was more sporadic, with funds between \$15 and \$20 million for FY1991 and FY1993 through FY1995, \$6.5 million in FY1998, \$4.5 million annually in FY1996 and FY1997, and \$3.0 million in FY2002, with no funding in (continued...)

Forest Stewardship

Purposes

The Forest Stewardship program was created to improve timber production and environmental protection on nonfederal forest lands. The Secretary of Agriculture, acting through the FS,⁶ is authorized “to encourage the long-term stewardship of nonindustrial private forest lands....” These lands are defined as “lands with existing tree cover, or suitable for growing trees, and owned by any private individual, group, association, corporation, Indian tribe, or other private legal entity.”⁷ Forest stewardship is not defined directly in the statute or indirectly by reference to any listing of forest stewardship practices or standards.

Section 8001 of the 2008 farm bill added a set of national priorities for Forest Stewardship of private forest conservation through federal support for state assistance. National priorities, including for allocating funding, are:

- conserving and managing working forests for multiple values and uses;
- protecting forests from threats, including “catastrophic wildfires, hurricanes, tornados, windstorms, snow or ice storms, flooding, drought, invasive species, insect or disease outbreak, or development,” and restoring appropriate forest types in response to such threats; and
- enhancing public benefits from private forests, including air and water quality, soil conservation, biological diversity, carbon storage, forest products, forestry jobs, production of renewable energy, wildlife, wildlife corridors, and wildlife habitat, and recreation.

Activities

The program provides technical assistance to private landowners to help them evaluate alternative actions, including:

- managing and enhancing the productivity of timber, fish and wildlife habitat, water quality, wetlands, recreational resources, and aesthetic values;
- investing in practices to protect, maintain, and enhance resources;
- ensuring that afforestation, reforestation, improvement of poorly stocked stands, timber stand improvement, practices to improve seedling growth and survival, and growth enhancement practices occur where needed to enhance and sustain the long-term productivity of timber and nontimber forest resources; and

(...continued)

the other years (FY1992 and FY1999—FY2001).

⁶ Throughout this report, the FS as the action agency is identified in lieu of the Secretary of Agriculture, even though the laws typically specify action by the Secretary.

⁷ Typically, “nonindustrial private forest lands” exclude forest lands owned by companies engaged in manufacturing wood products, but the definition for the forest stewardship program, in 16 U.S.C. § 2103a(c), apparently allows the program to be available for timber industry lands, as well.

- protecting private forests from damage caused by fire, insects, disease, and damaging weather.

Eligibility

The FS provides technical and financial aid to the states, which provides information and assistance to private landowners. For states to be eligible to receive funds, they must prepare:

- a statewide assessment of forest resource conditions, including:
 - the conditions and trends of forest resources in the state;
 - threats to forest lands and resources, consistent with the national priorities;
 - any areas or regions of the state that are a priority; and
 - any multi-state areas that are a regional priority; and
- a long-term statewide forest resource strategy, including:
 - strategies for addressing the threats to forest resources identified in the assessment; and
 - a description of the resources necessary for the state forester⁸ to address the statewide strategy.

The assessments and strategies are to be updated “at such times as the Secretary determines to be necessary,” and are to be coordinated with the state’s forest stewardship coordinating committee (see below), wildlife agency, technical committee (under § 1261 of the Food Security Act of 1985 (16 U.S.C. § 3861)), and relevant federal land management agencies.

Authorization and Appropriations

The Forest Stewardship program was added as a new § 5 to the CFAA by § 1215 of the 1990 farm bill. It is codified at 16 U.S.C. § 2103a. Annual appropriations for Forest Stewardship were authorized at \$25 million annually for FY1991-FY1995, with “such sums as may be necessary thereafter....” The authorization does not expire. Funding for statewide forest resource assessments and strategies was authorized at \$10 million annually for FY2008-FY2012, with up to another \$10 million from other appropriations for planning under the CFAA. Annual appropriations are shown in **Table 3**.

Table 3. Appropriations for Forest Stewardship, FY2004-FY2008

(in millions)

| | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 |
|--------------------|---------------|---------------|---------------|---------------|---------------|
| Forest Stewardship | \$31.884 | \$32.320 | \$34.144 | \$41.947 | \$29.532 |

⁸ For all the programs discussed in this report, the term *state forester* means the state forester or “equivalent state official.”

Rural Forestry Assistance

Purposes

The Rural Forestry Assistance program was created to assist in the management and protection of nonfederal forests. The FS is authorized to assist landowners in “protecting, maintaining, enhancing, restoring, and preserving” forestlands and the values and uses they provide and in protecting forests from insects, diseases, fire, and conversion to alternative uses. The program also assists states in providing support for establishing and managing timber stands on nonfederal lands and for protecting and improving soils and water yields.

Activities

The FS is authorized to provide “financial, technical, educational, and related assistance” for “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 the program. The program may also provide “financial, technical, and related assistance” to the states to produce, distribute, and plant tree seeds and seedlings, to assist forest management practices, and to protect soil fertility and water quality and flows.

Eligibility

The FS provides assistance to state foresters for the entire program and to state extension directors for assisting forest landowners. Assistance to private landowners is through the state agencies.

Authorization and Appropriations

Rural Forestry Assistance was created in § 3 of the CFAA, and rewritten in § 1213 of the 1990 farm bill. It is codified at 16 U.S.C. § 2102. The authorization of annual appropriations is “such sums as may be necessary,” and does not expire. Since FY1993, the program has not been funded separately, but rather has been included as part of the Forest Stewardship program. (See above.)

Financial, Technical, and Related Assistance to States

Purpose

The State Assistance program was created to foster coordination of state and federal organizations in providing assistance to private landowners. The FS is authorized to assist in developing “stronger and more efficient State organizations,” to ensure that forest data are available and comparable, and to foster adoption of new technologies.

Activities

The FS is authorized to provide “financial, technical, and related assistance” to state foresters for improving organizational management and forest data collection and use. Specifically, the

program is to “enable them to better fulfill their responsibilities for the protection and management on non-Federal forest lands [including] ... assistance in matters related to organizational management, program planning and management, budget and fiscal accounting services, personnel training and management, information services, and recordkeeping.” The program may also be used “in the assembly, analysis, display, and reporting of State forest resources data, in the training of State forest resources planners, and in participating in natural resources planning ...” In addition, the FS is authorized to create “a program of technology implementation.”

Eligibility

The FS provides assistance to state foresters, and for technology implementation, to “cooperators.”

Authorization and Appropriations

Financial, Technical, and Related Assistance to States was established in § 8 of the CFAA, and renumbered as § 11 by the 1990 farm bill; it is codified at 16 U.S.C. § 2107. The funding authorization is for “such sums as may be necessary,” and does not expire. Since FY1993, the program has not been funded separately, but rather has been included as part of the Forest Stewardship program. (See above.)

Urban and Community Forestry Assistance

Purposes

The Urban and Community Forestry Assistance program was created to expand knowledge and awareness of the value of urban trees and to encourage the maintenance and expansion of urban tree cover. The FS is to:

- improve understanding of the benefits of preserving existing tree cover in urban areas and communities;
- encourage owners of private residences and commercial properties to maintain trees and expand forest cover on their properties;
- provide education programs and technical assistance to state and local organizations in maintaining forested lands and individual trees;
- provide assistance through competitive matching grants for urban and community forestry projects;
- implement a tree planting program to support urban open space programs, reduce carbon dioxide emissions, conserve energy, and improve air quality;
- promote demonstration projects;
- enhance the technical skills and understanding of sound tree maintenance and arboricultural practices of individuals involved with urban and community forests and trees; and
- expand existing research and educational efforts.

Activities

The FS is authorized to provide financial, technical, and related assistance to state foresters and to establish and support state information and technical assistance programs to encourage “cooperative efforts to plan urban forestry programs and to plant, protect, and maintain, and utilize wood from, trees in open spaces, greenbelts, roadside screens, parks, woodlands, curb areas, and residential developments ...” The FS is also authorized to cooperate directly with local governments and with interested members of the public. The Urban and Community Forestry program is directed to:

- assist urban areas and communities in inventorying their forest resources and identifying tree planting opportunities;
- assist state and local organizations in organizing and conducting urban and community forestry projects and programs;
- improve education and technical support in selecting appropriate tree species, providing for proper tree planting, maintenance, and protection, protecting individual trees, preserving open spaces, and identifying opportunities for expanding tree cover;
- assist in developing state and local tree management plans; and
- increase public understanding of the energy conservation, economic, social, environmental, and psychological values of trees and open space in urban and community environments.

In addition, the FS is to establish an “urban and community forestry challenge cost-share program” for competitive grants to eligible communities and organizations for up to 50% of project costs. State foresters make recommendations on project proposals, and the FS awards grants based on criteria developed in consultation with the National Urban and Community Forestry Advisory Council (established under § 9(g) of the CFAA, and described later in this report).

Eligibility

No criteria for eligibility are specified in law. Apparently, any community, private nonprofit organization, or individual can apply for assistance.

Authorization and Appropriations

Urban and Community Forestry was established in § 6 of the CFAA, and rewritten and renumbered as § 9 in § 1219 of the 1990 farm bill. It is codified at 16 U.S.C. § 2105. The authorization of appropriations was \$30 million annually for FY1991-FY1995 and “such sums as may be necessary thereafter ...,” and does not expire. The slow decline in annual appropriations for FY2004-FY2008 is shown in **Table 4**.

Table 4. Appropriations for Urban and Community Forestry, FY2004-FY2008
(in millions)

| | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 |
|------------------------------|---------------|---------------|---------------|---------------|---------------|
| Urban and Community Forestry | \$34.864 | \$31.950 | \$28.413 | \$30.130 | \$27.691 |

Assistance for Forest Protection

There are currently five authorized programs to provide financial and technical assistance for protecting nonfederal forests. Two programs are funded in multiple expanded budget line items. Forest Health and Rural Fire Protection both have two funding components, and both receive funds through S&PF appropriations and Wildland Fire Management appropriations. To date, the Community Fire Protection program has not been funded separately (though states can use Rural Fire Protection funds for the program). Lastly, the Community Forest and Open Space Conservation program was created in the 2008 farm bill. The programs are discussed below in descending order of FY2008 funding.

Forest Health Protection

Purposes

The Forest Health Protection program was created to protect trees, forests, and wood products, directly on the national forests and in cooperation with others on other lands. The FS is authorized to:

- enhance the growth and maintenance of trees and forests;
- promote the stability of forest-related industries and employment through the protection of forest resources;
- aid in forest fire prevention and control;
- conserve forest cover on watersheds, shelterbelts, and windbreaks;
- protect outdoor recreation opportunities and other forest resources; and
- extend timber supplies by protecting wood products, stored wood, and wood in use.

Activities

The FS is authorized, directly for the national forests and in cooperation with others for other lands, to:

- conduct surveys of insect infestations, disease conditions, and man-made stresses affecting trees, and to monitor changes;
- determine measures needed to prevent, retard, control, or suppress insect infestations and disease epidemics;

- plan, organize, direct, and perform those measures;
- provide information, advice, and assistance for maintaining healthy forests and coordinate use of pesticides and other toxic substances;
- develop technologies and test research results prior to full-scale application; and
- promote silvicultural and management techniques to protect or improve forest health.

Eligibility

The FS can act on its own lands. On other lands, operations “to prevent, retard, control, or suppress insects or diseases ... shall not be conducted without the consent, cooperation, and participation [including financial contributions] of the entity having ownership of or jurisdiction over the affected land.” Appropriations may not be used to pay for cutting or removing dead or dying trees, unless necessary to prevent the spread of the epidemic, or to compensate for property injured, damaged, or destroyed. The Secretary may also, by contract or agreement, provide financial assistance to state foresters or private organizations to monitor forest health and protect forest lands. Finally, the Secretary, in cooperation with state foresters, may provide 50%-75% cost shares to cooperators who have established acceptable integrated pest management strategies for gypsy moths, southern pine beetles, spruce budworms, or other major insect infestations.

Authorization and Appropriations

Forest Health Protection was created as § 5 of the CFAA, and rewritten and renumbered as § 8 in § 1218 of the 1990 farm bill. It is codified at 16 U.S.C. § 2104. Annual appropriations are authorized at “such sums as may be necessary,” except for a \$10 million annual authorization for cost-sharing to cooperators on integrated pest management strategies. The funding authorization does not expire. Annual appropriations for the forest health protection program are shown in **Table 5**. The table distinguishes funds for federal lands from cooperative (nonfederal) lands, and includes funding through the Wildland Fire Management account as well as through the S&PF account. Appropriations rose substantially after the severe fire season in the summer of 2000; during the 1990s, Forest Health Protection funding averaged about \$50 million annually, compared to \$125 million annually over the past five years.

Table 5. Appropriations for Forest Health Protection, FY2004-FY2008

(in millions)

| | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 |
|-------------------|------------------|------------------------------|------------------|------------------|------------------|
| Federal lands | \$68.643 | \$69.028 | \$67.942 | \$68.742 | \$68.140 |
| Cooperative lands | 54.619 | 57.490 | 56.757 | 56.957 | 54.395 |
| Total | \$123.262 | \$128.618^a | \$124.699 | \$125.699 | \$122.535 |

a. Included \$2.100 million of emergency supplemental funds provided for unspecified lands.

Rural Fire Protection

Purpose

Rural Fire Protection (technically, Rural Fire Prevention and Control) was created to assist in preventing and controlling wildfires, to protect human lives, crops and livestock, property and other improvements, and natural resources in rural areas. The FS is authorized to coordinate efforts and to “provide prompt and adequate assistance whenever a rural fire emergency overwhelms, or threatens to overwhelm, the firefighting capability” of states or local agencies. The program has two components, with separate funding accounts: state fire assistance and rural volunteer fire assistance.

Activities

The FS, in cooperation with state foresters, is to develop systems and methods, and assist in their implementation, for fire prevention, fire control, and prescribed fire use by state foresters, and through them, by other agencies and organizations, including rural volunteer fire departments. The FS is also authorized to provide 50% cost-share assistance “to conduct preparedness and mobilization activities, including training, equipping, and otherwise enabling State and local firefighting agencies to respond to requests for fire suppression assistance.” Finally, the FS is to cooperate with the General Services Administration (GSA) to “encourage the use of excess personal property ... by State and local fire forces receiving assistance ... ”

Eligibility

The Secretary is authorized to provide financial, technical, and related assistance to state foresters and to rural volunteer fire departments. The latter are defined as “any organized, not for profit, fire protection organization that provides service primarily to a community or city” of up to 10,000 people, “whose firefighting personnel is 80 percent or more volunteer, and that is recognized as a fire department by the laws of the State.... ”

Authorization and Appropriations

The Rural Fire Protection program was established as § 7 of the CFAA, and renumbered as § 10 by the 1990 farm bill. It is codified at 16 U.S.C. § 2106. Annual appropriations are authorized at “such sums as may be needed” for most activities. Up to \$70 million annually, of which half is available only for state foresters and half only for rural volunteer fire departments, is reserved for cost-share assistance. The funding authorization does not expire. Annual appropriations rose steadily from \$17 million in FY1996 to \$24 million in FY2000, then jumped to \$113 million in FY2001. Since FY2004, appropriations have remained relatively high, generally at \$79 million or more annually, as shown in **Table 6**.

Congress also continues to appropriate funds for Volunteer Fire Assistance grants. This program was authorized as the Rural Community Fire Protection program in § 27 of the Agriculture and Consumer Protection Act of 1973 (P.L. 93-86), which added a new § 816 to the Agriculture Act of 1970 (P.L. 91-524; the 1970 farm bill), which in turn added a new paragraph 13 to § 306(a) of the 1961 Consolidated Farm and Rural Development Act (P.L. 87-128; the 1961 farm bill). It was codified at 7 U.S.C. § 1926(a)(13). However, the program was eliminated, and replaced by an

unrelated program, in § 741(a)(4) and (5) of the 1996 farm bill (P.L. 104-127). Congress continued to fund the program under the Rural Housing Service in the annual Agriculture appropriations acts through FY1998. Since FY1999, the program has been funded under Cooperative Fire Protection in the S&PF branch in the annual Interior appropriations acts, apparently under the broader authorization for Rural Fire Protection. Appropriations averaged about \$2 million annually in the late 1990s, but have risen substantially since, averaging \$13 to nearly \$14 million annually. **Table 6** shows appropriations for both state and volunteer fire assistance programs, and includes funding through the Wildland Fire Management account as well as through the S&PF account.

Table 6. Appropriations for Rural Fire Protection, FY2004-FY2008

(in millions)

| | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 |
|---------------------------|------------------------------|------------------------------|-----------------|-----------------|-----------------|
| State Fire Assistance | \$109.298 | \$93.099 | \$78.711 | \$79.116 | \$80.572 |
| Volunteer Fire Assistance | 13.175 | 13.806 | 13.685 | 13.685 | 13.679 |
| Total | \$146.526^a | \$126.905^b | \$92.396 | \$92.802 | \$94.251 |

a. Includes \$24.053 million of emergency supplemental funds provided for unspecified programs.

b. Includes \$20.000 million of emergency supplemental funds provided for unspecified programs.

Forest Legacy

Purposes

The Forest Legacy program was created to protect forests that might soon be cleared for nonforest uses, such as for agriculture or residences. The FS is to establish a program for “ascertaining and protecting environmentally important forest areas that are threatened by conversion to nonforest uses and ... for promoting forest land protection and other conservation opportunities. Such purposes shall also include the protection of important scenic, cultural, fish, wildlife, and recreational resources, riparian areas, and other ecological values.”

Activities

The FS is authorized to “acquire from willing landowners lands and interests therein, including conservation easements and rights of public access....” The FS is also authorized to provide grants to states to carry out the program.

The FS may delegate management of the lands or interests acquired “only to another governmental agency.” For easements or other interests acquired, the landowner is required to manage the property “consistent with purposes for which the land was entered in the Forest Legacy Program.... Hunting, fishing, hiking, and similar recreational uses shall not be considered inconsistent with the purposes of this program.” Activities may include “forest management activities, including timber management, ... insofar as the Secretary deems such activities consistent with the purposes” of the program.

Eligibility

The law establishes a three-step process for acquiring lands or easements. First, in consultation with state forest stewardship coordinating committees (established under §19(b) of the CFAA and described below), the FS establishes criteria for identifying eligible areas in each state, which “shall have significant environmental values or shall be threatened by present or future conversion to nonforest uses.” Then, also in consultation with the state committees, the FS selects appropriate areas giving “priority to lands which can be effectively protected and managed, and which have important scenic or recreational values; riparian areas; fish and wildlife values, including threatened and endangered species; or other ecological values.” Finally, private landowners with lands in eligible areas may submit applications for participation to the FS. In addition, the FS may, at the request of participating states, provide grants to the states to carry out the program.

Authorization and Appropriations

The Forest Legacy program was added as a new § 7 to the CFAA by § 1217 of the 1990 farm bill. It is codified at 16 U.S.C. § 2103c. The subsection authorizing “optional State grants” was added by § 374 of the 1996 farm bill. The authorization of appropriations is for “such sums as may be necessary,” and does not expire. Appropriations averaged \$3 million annually for FY1996-FY1998, rose substantially, and have since declined slowly from the peak of \$68.4 million in FY2003, as shown in **Table 7**.

Table 7. Appropriations for Forest Legacy, FY2004-FY2008
(in millions)

| | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 |
|---------------|---------------|---------------|---------------|---------------|---------------|
| Forest Legacy | \$64.134 | \$57.134 | \$56.524 | \$56.536 | \$52.317 |

Community Fire Protection

Purpose

Community Fire Protection was created to assist communities in reducing threats from wildfires. The FS is to establish a program to focus federal efforts on promoting firefighting efficiency, to augment federal fire protection efforts, to expand homeowner and community outreach and education, and to establish defensible space around private homes and property.

Activities

The FS, cooperating with and implemented through state foresters, may act on nonfederal lands, with the landowner’s consent, in:

- fuel hazard mitigation and prevention;
- invasive species management;
- wildfire and community protection planning;

- community and landowner education;
- market development and expansion;
- improved wood utilization; and
- special restoration projects.

Eligibility

The FS may act, through state foresters, on nonfederal lands with the landowner's consent. It is unclear whether or when a community might be eligible for assistance or federal action.

Authorization and Appropriations

The Community Fire Protection program was established as § 10A of the CFAA in § 8003 of the 2002 farm bill. It is codified at 16 U.S.C. § 2106c. Appropriations were authorized at \$35 million annually for FY2002-FY2007, and "such sums as are necessary" thereafter. The authorization does not expire. To date, Congress has not appropriated funds for this program, although states can use Rural Fire Assistance funds to fulfill the purposes of the program.

Community Forest and Open Space Conservation

Purpose

The Community Forest and Open Space Conservation program was established to provide financial assistance to local governments, tribes, and nonprofit organizations for preventing the conversion of forestland to nonforest uses, such as crop production or residential construction.

Activities

The FS is authorized to award grants to eligible entities to purchase fee simple title to private forestlands that (1) are threatened by conversion to nonforest uses, and (2) provide public economic, recreational, environmental, or educational benefits to communities or serve as models of effective private forest stewardship. Grant recipients must provide at least 50% of the appraised cost, and are to manage the lands consistent with the purposes of the acquisition and for public access.

Eligibility

Eligible entities apply to state foresters (or equivalent tribal officials) for grants with a description of the lands to be acquired and a plan that describes the benefits and management of the lands. State foresters submit a list of projects to the FS. The FS may allocate up to 10% of appropriated funds to state foresters for program administration.

Authorization and Appropriations

The Community Forest and Open Space Conservation program was established as a new § 7A of the CFAA in § 8003 of the 2008 farm bill. It is codified at 16 U.S.C. § 2103d. The authorization of appropriations is “such sums as are necessary,” and does not expire.

Assistance for Forest Recovery or Restoration

Two programs—one new and one long-standing—are authorized to provide financial assistance to landowners whose private lands have been damaged by natural disasters.⁹ Neither program has provided funding for landowners in recent years—the long-standing program has not received any appropriations in 15 years, while the new program was created in the 2008 farm bill.

Emergency Reforestation Assistance

Purpose

The Emergency Reforestation Assistance program was created to reforest stands damaged by natural disasters. The FS can provide seedlings or reimburse some reforestation costs to eligible landowners.

Activities

The FS has the discretion to provide either tree seedlings or reimbursement of up to 65% of reforestation costs for tree stands with at least 35% mortality from wildfire, damaging weather, defined as “drought, hail, excessive moisture, freeze, tornado, hurricane, excessive wind, or any combination thereof;” or a related condition, defined as “insect infestations, disease, or other deterioration of a tree stand that is accelerated or exacerbated by damaging weather.”

Eligibility

Eligible landowners include (a) persons who produce annual commercial crops from up to 500 acres of trees; (b) persons who own up to 1,000 acres of forestland; and (c) persons who own 1,000-5,000 acres of forestland, if the Secretary determines the person to be eligible. To be eligible, the landowner must not have “qualifying gross revenues” of more than \$2 million; “qualifying gross revenues” generally include gross revenues from farming, ranching, and

⁹ In addition to these two programs, a temporary Emergency Forestry Conservation Reserve Program was created to provide assistance to nonindustrial private forest landowners who experienced a loss of 35% or more in merchantable timber from the 2005 hurricanes (Hurricane Katrina et al.). The program (as amended) provided \$504.1 million from the Commodity Credit Corporation through the Farm Service Agency for 10-year contracts to establish temporary vegetative cover and to restore the land. Although the program was added to the Conservation Reserve Program (CRP; 16 U.S.C. § 3831) created in the 1985 farm bill, it was exempted from the county acreage and maximum enrollment limitations of the CRP. The program was created in § 107 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148). The 2008 farm bill (§ 2106(b)) renumbered the provision as § 1231A, instead of § 1231(k), of the 1985 farm bill.

forestry operations.¹⁰ The FS is prohibited from making payments of more than \$25,000 (or equivalent value in tree seedlings) to a landowner in any fiscal year, and from providing payments to persons who receive other payments or assistance for forestry practices.

Authorization and Appropriations

Emergency reforestation assistance was established by § 1271 of the 1990 farm bill, and is codified at 16 U.S.C. § 2106a. The authorization includes no reference to funding level or expiration date. It was enacted to allow compensation to landowners who suffered substantial damage when Hurricane Hugo hit South Carolina in late 1989. Congress has not appropriated any funds for the program since FY1993; the last appropriations were for assistance related to Hurricanes Andrew and Iniki.

Emergency Forest Restoration

Purpose

The Emergency Forest Restoration program was created to assist private forestland owners “to address damage caused by a natural disaster ... on nonindustrial private forest land....”

Activities

The FS may provide up to 75% of the cost of emergency measures that “would restore forest health and forest-related resources” and where 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....” Natural disasters include “wildfires, hurricanes or excessive winds, drought, ice storms or blizzards, floods, or other resource-impacting events, as determined by the Secretary.”

Eligibility

Eligible recipients include owners of “nonindustrial private forest land,” defined as rural land 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.”

Authorization and Appropriations

The Emergency Forest Restoration program was created by § 8203 of the 2008 farm bill, adding a new § 407 to Title IV (Emergency Conservation Program) of the Agricultural Credit Act of 1978

¹⁰ Qualifying gross revenues defined at 16 U.S.C. § 2106a(d)(3) as

“(A) if a majority of the person’s annual income is received from farming, ranching, and forestry operations, the gross revenue from the person’s from farming, ranching, and forestry operations; and

“(B) if less than a majority of the person’s annual income is received from farming, ranching, and forestry operations, the person’s gross revenue from all sources....”

(P.L. 95-324). It is codified at 16 U.S.C. § 2207. Authorized funding is at “such funds as may be necessary” and does not terminate.

Economic Assistance

Two programs are currently authorized to provide economic assistance for communities that have traditionally depended on federal forests (especially federal timber harvests), although both have been funded under a single expanded budget line item.

Economic Action

Purpose

The Economic Action Program (EAP) was created to assist communities and their leaders in improving the efficiency and marketing of natural resource-based industries and in diversifying rural community economic bases. The FS is authorized to assist 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....”

Activities

The FS may establish “rural forestry and economic diversification action teams to prepare an action plan to provide technical assistance to economically disadvantaged communities.” The teams are to be designed “to meet the unique needs of the requesting rural community.” They are to be directed by a FS employee, and may include personnel from other federal and state agencies and from the private sector. The program can include training and education for businesses, officials, and individuals, and loans to expand or improve existing infrastructure and facilities and to support “new industries or commercial ventures unrelated to National Forest System resources.”

Eligibility

“Economically disadvantaged rural communities” may request assistance. A rural community is defined as “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 ... to promote broad based economic development ... as approved by the Secretary” that:

- has a population of no more than 10,000 people;
- is in a county in which at least 15% of total primary and secondary income is derived from forestry, wood products, or other forest-related industry (such as recreation, livestock grazing, or tourism); and
- is within the boundary, or within 100 miles of the boundary, of a national forest.

A rural community can also be “any county that is not contained within a Metropolitan Statistical Area” that meets the income and location requirements identified above. An economically

disadvantaged area is defined as an area suffering “economic hardship due to the loss of jobs or income” derived from forestry or forest-related enterprises.

Authorization and Appropriations

The EAP was established by the National Forest-Dependent Rural Communities Economic Diversification Act of 1990, in §§ 2372-2379 of the 1990 farm bill. It is codified at 7 U.S.C. §§ 6611-6617. Annual appropriations are authorized at “an amount not to exceed 5% of” FS user fees and resource sale receipts, plus “such additional sums as may be necessary.” The authorization does not expire.¹¹

Annual appropriations for the EAP (including Pacific Northwest Assistance) have fluctuated widely over time. Funding reached nearly \$40 million in FY1991, fell below \$23 million in FY1993, then averaged about \$32 million annually in the mid 1990s. It fell to about \$27 million annually in the late 1990s, then jumped to \$63.6 million in FY2001 to provide additional compensation for communities affected by severe wildfires during the summer of 2000. Subsequent appropriations have declined, as shown in **Table 8**. The Bush Administration continues to propose terminating appropriations for the program.

Table 8. Appropriations for Economic Action, FY2004-FY2008

(in millions)

| | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 |
|-----------------|---------------|---------------|---------------|---------------|---------------|
| Economic Action | \$25.606 | \$19.032 | \$9.537 | \$0.000 | \$4.206 |

Cooperative National Forest Products Marketing Program

Purpose

The Cooperative National Forest Products Marketing Program was created to authorize the FS to provide assistance to improve the marketing of forest products, especially for small- and medium-sized producers.

Activities

The program includes two components. Technical assistance can be provided directly to states, landowners, and small- to medium-sized firms on ways to improve domestic and export marketing. Also, states can apply for matching grants to support state and regional marketing efforts targeted at assisting small- to medium-sized firms and nonindustrial private landowners.

¹¹ For many years, a similar Pacific Northwest Assistance program was funded in support of President Clinton’s Forest Plan for a Sustainable Economy and a Sustainable Environment. Congress enacted funds to support this program in the FY1994 Interior appropriations act, and continued funding the program through FY2002. Beginning in FY2003, the House and Senate Appropriations Committees recommended that such efforts be continued within the Economic Action program.

Eligibility

For technical assistance, no criteria for eligibility are specified in law. Apparently, any state, landowner, or “small-sized to medium-sized forest products firms” can apply for assistance. For financial assistance, eligible states must have a targeted forest products marketing effort, or be participating in a targeted regional effort.

Authorization and Appropriations

The Cooperative National Forest Products Marketing Program was added as a new § 15 in the CFAA by § 4403 of the Omnibus Trade and Competitiveness Act of 1988 (P.L. 100-418). It was renumbered as § 18 by the 1990 farm bill, and is codified at 16 U.S.C. § 2112. The authorization of appropriations was \$5 million annually for FY1988-FY1991. It has not been reauthorized. However, since FY1993, Congress has continued to fund this program as part of the EAP. (See above.)

International Forestry

Purpose

The International Forestry Program was created for the FS to provide technical assistance to other nations, especially in the tropics, on forest management for “sustainable development and global environmental stability....”

Activities

The FS may provide help to other nations for conserving forests; managing forest plantations; rehabilitating damaged forestlands; preventing and controlling insects, diseases, and other damaging agents; using wood; conserving rangelands; and protecting wildlife and fish habitat. Assistance can include sharing technical and managerial skills, providing education and training opportunities, cooperating on and exchanging scientific research, and cooperating with domestic and international organizations for these purposes.

Eligibility

Assistance is provided to countries “that receive assistance from the U.S. Agency for International Development [AID] only at the request, or with the concurrence, of the Administrator” of AID. Also, the FS is directed to focus efforts “on key countries which could have a substantial impact on emissions of greenhouse gases related to global warming.”

Authorization and Appropriations

The International Forestry Program was established in the International Forestry Cooperation Act of 1990, Title VI of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of FY1991 (P.L. 101-513), as amended by the Hawaii Tropical Forest

Recovery Act (P.L. 102-574).¹² It is codified at 16 U.S.C. §§ 4501-4505. The authorization of appropriations is “such sums as may be necessary,” and does not expire. In addition, the FS’s Office of International Forestry and Institutes of Tropical Forestry were authorized in § 2405 and § 2407 of the 1990 farm bill, and are codified at 7 U.S.C. § 6704 and § 6706, respectively. The 1990 farm bill also directed a separate budget line for FS international cooperation and assistance. Appropriations were transferred from other FS programs for FY1992 and FY1993, then enacted at nearly \$7 million for FY1994 and FY1995. For FY1996-FY2000, the FS was directed to use funds from other S&PF accounts for international programs. Since FY2001, Congress has enacted a separate appropriation for International Forestry. Funding since FY2004 is shown in **Table 9**.

Table 9. Appropriations for International Forestry, FY2004-FY2008

(in millions)

| | FY2004 | FY2005 | FY2006 | FY2007 | FY2008 |
|------------------------|---------------|---------------|---------------|---------------|---------------|
| International Forestry | \$5.926 | \$6.410 | \$6.886 | \$6.886 | \$7.383 |

Related Provisions

In addition to these several cooperative forestry assistance programs, the CFAA authorizes consolidated payments to the states (i.e., a single payment for all the programs) and establishes three groups to oversee certain programs. The 2008 farm bill replaced an existing oversight committee with a new structure and purposes. These are described below.

Consolidation of Payments

Consolidated payments are authorized in § 9 of the CFAA, renumbered as § 12 and amended by the 1990 farm bill, and codified at 16 U.S.C. § 2108. To provide flexibility in implementing programs, states may request consolidated payments for all the authorized cooperative forestry assistance programs.

The National Urban and Community Forestry Advisory Council

The National Urban and Community Forestry Advisory Council was created under the CFAA, as rewritten in § 1219 of the 1990 farm bill; it is codified at 16 U.S.C. § 2105(g). The Council is to evaluate implementation of the national urban and community forestry action plan and to develop criteria and submit recommendations for the urban and community forestry challenge cost-share program. The Council is composed of 15 members, appointed by the Secretary, representing:

¹² In addition to these two programs, a temporary Emergency Forestry Conservation Reserve Program was created to provide assistance to nonindustrial private forest landowners who experienced a loss of 35% or more in merchantable timber from the 2005 hurricanes (Hurricane Katrina et al.). The program (as amended) provided \$504.1 million from the Commodity Credit Corporation through the Farm Service Agency for 10-year contracts to establish temporary vegetative cover and to restore the land. Although the program was added to the Conservation Reserve Program (CRP; 16 U.S.C. § 3831) created in the 1985 farm bill, it was exempted from the county acreage and maximum enrollment limitations of the CRP. The program was created in § 107 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (P.L. 109-148). The 2008 farm bill (§ 2106(b)) renumbered the provision as § 1231A, instead of § 1231(k), of the 1985 farm bill.

- national nonprofit forestry and conservation citizen organizations (2);
- state, county, and city or town governments (1 each);
- forest products, nursery, or related industry (1);
- urban forestry, landscape, or design consultant (1);
- academic institutions, with relevant expertise (2);
- state forestry (or equivalent) agencies (1);
- professional renewable natural resource or arboricultural society (1);
- USDA Extension Service (1);
- USDA Forest Service (1); and
- others with expertise and experience in urban and community forestry and who are not governmental officers or employees, at least one of whom is a resident of a community of fewer than 50,000 people (2).

Forest Resource Coordinating Committee

The Forest Resource Coordinating Committee was created in § 8005 of the 2008 farm bill, replacing the USDA Coordinating Committee established in § 19 of the CFAA; it is codified at 16 U.S.C. § 2113(a). This committee is to assist in coordinating forestry assistance programs within USDA and with states and the private sector, to clarify individual agency responsibilities, and to advise on funding allocations (including competitive allocations). The Committee is chaired by the FS Chief. It is composed of:

- the Chief of the Forest Service;
- the Chief of the Natural Resources Conservation Service;
- the Director of the Farm Service Agency;
- the Director of the National Institute of Food and Agriculture;
- at least three state foresters from geographically diverse regions;
- a representative of a state fish and wildlife agency;
- an owner of nonindustrial forest land;
- a forest industry representative;
- a conservation organization representative;
- a land-grant university or college representative;
- a private forestry consultant;
- a representative from a State Technical Committee established under § 1261 of the Food Security Act of 1985 (16 U.S.C. §3861); and
- such other persons as determined by the Secretary to be appropriate.

State Forest Stewardship Coordinating Committees

State Forest Stewardship Coordinating Committees were directed to be created by the Secretary of Agriculture, in consultation with each state forester, in § 1222 of the 1990 farm bill, which added a new § 19 to the CFAA; the direction is codified at 16 U.S.C. § 2113(b). Each state coordinating committee is to consult with other USDA and state committees on cooperative forestry programs and to make recommendations on priorities and responsibilities and on priorities for the forest legacy program. Each state coordinating committee is chaired by the state forester, and composed of federal representatives from “the Forest Service, Soil Conservation Service, Agricultural Stabilization and Conservation Service, and Extension Service,” and of others appointed by the state forester to represent:

- local government;
- consulting foresters;
- environmental organizations;
- the forest products industry;
- forest landowners;
- land trust organizations (if applicable);
- conservation organizations;
- the state’s fish and wildlife agency; and
- the State Technical Committee established under § 1261 of the Food Security Act of 1985 (16 U.S.C. § 3861).

Summary and Conclusions

The U.S. Department of Agriculture administers numerous programs to support the management of state and private forestlands. Several programs provide financial and/or technical assistance through the states for planning and implementing forest management practices (e.g., tree planting, site preparation for reforestation, thinning, pruning, fertilizing, prescribed burning, and other activities) and sometimes practices to enhance other resources (e.g., restoring watersheds, improving wildlife habitat, and other activities). Some programs have been combined through the appropriations process.

Additional programs provide financial and technical support for protecting nonfederal forests from wildfire, insects, diseases, and clearing for nonforest uses. These programs cover many continuing threats to forests, although global climate change could exacerbate the effects of these threats. Furthermore, for the Forest Health program, more funds are used to protect federal lands than cooperative lands. Forest Legacy can help prevent forest clearing. The Community Fire Protection program can assist communities prepare for wildfires, while the two emergency programs can help landowners restore forests after the disaster. These programs, as well as many of the forest management programs noted above, can help to protect and restore state and private forestlands from catastrophic wildfires and other damaging agents.

Other forestry assistance programs address rural economic development for communities in or near federal forests. Each program appears to authorize some unique activities, but some

responsibilities appear to overlap. It is unclear the extent to which these activities duplicate efforts of other USDA agencies which emphasize rural economic development, and which agency might be most efficient and effective at providing such economic assistance.

Appropriations for forestry assistance programs has been declining in recent years. In response to the severe wildfires in the summer of 2000, funding more than doubled, from \$213.3 million in FY2000 to a peak of \$493.8 million, in FY2001. Funding was \$426.3 million in FY2004, \$433.0 million in FY2005 and \$375.4 million in FY2006,¹³ \$347.1 million in FY2007, and \$330.6 million in FY2008. The largest sustained increases have been for the forest protection programs—forest health (for insect and disease identification and control), wildfire assistance, and forest legacy (for easements to prevent forest clearing). Forest management assistance funding has seen less change—forest stewardship funding (for state forestry programs) has grown slowly (with a modest jump in FY2007 and a drop in FY2008), while urban and community forestry has declined slowly from a peak in FY2002. After peaking in FY2001, economic assistance funding has declined substantially, in response to President Bush’s persistent proposals to terminate the programs. In contrast, funding for international forestry has continued to grow slowly over the past five years.

Author Contact Information

Ross W. Gorte
Specialist in Natural Resources Policy
rgorte@crs.loc.gov, 7-7266

¹³ Including \$37.0 million and \$30.0 million, respectively, in unspecified S&PF emergency supplemental funding in response to Hurricane Katrina and other disasters.