

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.

(Pub. L. 101-513, title VI, §604, Nov. 5, 1990, 104 Stat. 2071; Pub. L. 102-574, §2(b)(2), Oct. 29, 1992, 106 Stat. 4596.)

AMENDMENTS

1992—Pub. L. 102-574 inserted “in Puerto Rico” in section catchline.

§ 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)¹ 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) of this section.

(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 4503b of this title.

(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.

(Pub. L. 101-513, title VI, §605, as added Pub. L. 102-574, §2(a)(2), Oct. 29, 1992, 106 Stat. 4593; amended Pub. L. 103-437, §6(d)(42), Nov. 2, 1994, 108 Stat. 4585.)

REFERENCES IN TEXT

Section 5(b) of the Hawaii Tropical Forest Recovery Act, referred to in subsec. (b)(1), probably means section 4(b) of that Act, Pub. L. 102-574, which contains provisions regarding an action plan, and which is set out as a note below. Section 5 of that Act, which is set out as a note under section 4502a of this title, does not contain a subsec. (b).

PRIOR PROVISIONS

A prior section 605 of Pub. L. 101-513 was renumbered section 609 and is classified to section 4504 of this title.

AMENDMENTS

1994—Subsec. (b)(1). Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

CHANGE OF NAME

Committee on Natural Resources of House of Representatives treated as referring to Committee on Resources of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress.

HAWAII TROPICAL FOREST RECOVERY TASK FORCE

Section 4 of Pub. L. 102-574 provided that:

“(a) ESTABLISHMENT.—There is established the Hawaii Tropical Forest Recovery Task Force (hereafter in this section referred to as the ‘Task Force’) to advise the Secretary of Agriculture with respect to tropical forests and related ecosystems in the State of Hawaii.

“(b) ACTION PLAN.—Not later than 1 year after the date of the first meeting of the Task Force, the Task Force shall submit to the Committees, Secretaries, and Governor referred to in subsection (k) an action plan that contains findings and recommendations for rejuvenating Hawaii’s tropical forests, including findings and recommendations on—

“(1) methods of restoring the health of declining or degraded tropical forest land;

“(2) compatible uses within tropical forests, particularly agroforestry and the cultivation of scarce or valuable hardwoods and other forest products in Hawaii’s tropical forests;

“(3) actions to encourage and accelerate the identification and classification of unidentified plant, animal, and microbe species;

¹ See References in Text note below.

“(4) actions to—
 “(A) promote public awareness of tropical forest preservation;
 “(B) protect threatened and endangered species;
 “(C) improve forest management and planning; and
 “(D) promote public awareness of the harm caused by introduced species;
 “(5) the benefits of fencing or other management activities for the protection of Hawaii’s native plants and animals from non-native species, including the identification and priorities for the areas where these activities are appropriate;
 “(6) traditional practices, uses, and needs of native Hawaiians in tropical forests;
 “(7) means of improving the health of tropical forests and related ecosystems in the State of Hawaii through programs administered by the Secretary of Agriculture and the Secretary of the Interior;
 “(8) the capability of existing Federal, State, and private forestry programs for rejuvenating Hawaii’s tropical forests; and
 “(9) such other issues relating to tropical forests in Hawaii as the Task Force considers appropriate.
 “(c) COMPOSITION.—The Task Force shall be composed of 12 members, of whom—
 “(1) three members shall be appointed by the Secretary of Agriculture, two of whom shall be representatives of the Forest Service and the Soil Conservation Service, respectively;
 “(2) two members shall be appointed by the Secretary of the Interior as representatives of the United States Fish and Wildlife Service and the National Park Service, respectively;
 “(3) six members shall be appointed by the Governor of Hawaii, of whom—
 “(A) two members shall be private owners of tropical forest lands;
 “(B) two members shall be experts in the field of tropical forestry; and
 “(C) two members shall be representatives of Hawaii conservation organizations that have demonstrated expertise in the areas of tropical forest management, habitat preservation, and alien species control or have demonstrated effective advocacy in the areas; and
 “(4) one member shall be the Administrator of the Department of Land and Natural Resources, State of Hawaii, or the designated representative of the Administrator.
 “(d) INITIAL APPOINTMENTS.—Appointments under this section to the Task Force shall be made not later than 90 days after the date of enactment of this Act [Oct. 29, 1992].
 “(e) CHAIRPERSON.—The Task Force shall select a Chairperson from among its members.
 “(f) VACANCIES.—A vacancy on the Task Force shall not affect its powers and shall be filled in the same manner as the original appointment.
 “(g) COMPENSATION.—
 “(1) IN GENERAL.—A member of the Task Force shall not receive compensation as a result of the performance of services for the Task Force.
 “(2) TRAVEL EXPENSES.—The members of the Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.
 “(h) MEETINGS.—The Task Force shall meet not later than 180 days after the date of enactment of this Act [Oct. 29, 1992] and shall meet at the call of the Chairperson.
 “(i) VOTING.—The Task Force shall act and advise by majority vote.
 “(j) ASSISTANCE.—The Secretary of Agriculture and the Secretary of the Interior shall provide such assistance and support as are necessary to meet the objectives of the Task Force. The assistance shall include

making Federal facilities, equipment, tools, and technical assistance available on such terms and conditions as the appropriate Secretary considers necessary.

“(k) REPORT.—The action plan required under subsection (b) shall be submitted to—

“(1) the Committees on Agriculture and Interior [now Committee on Natural Resources] of the House of Representatives;

“(2) the Committees on Agriculture, Nutrition, and Forestry and Energy and Natural Resources of the Senate;

“(3) the Secretary of Agriculture;

“(4) the Secretary of the Interior; and

“(5) the Governor of Hawaii.

“(l) NONAPPLICABILITY OF CERTAIN PROVISIONS OF LAW.—Sections 7(d), 10(f), and 14 of the Federal Advisory Committee Act (5 U.S.C. App. 2) [5 App. U.S.C.] shall not apply to the Task Force.

“(m) TERMINATION.—The Task Force and authority to carry out this section shall terminate 180 days after submitting the report required by subsection (b).”

§ 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 location of 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