

**TITLE 16 - CONSERVATION**  
**CHAPTER 41 - COOPERATIVE FORESTRY ASSISTANCE**

**§ 2106c. Enhanced community fire protection**

**(a) Cooperative management related to wildfire threats**

The Secretary may cooperate with State foresters and equivalent State officials in the management of lands in the United States for the following purposes:

- (1) Aid in wildfire prevention and control.
- (2) Protect communities from wildfire threats.
- (3) Enhance the growth and maintenance of trees and forests that promote overall forest health.
- (4) Ensure the continued production of all forest resources, including timber, outdoor recreation opportunities, wildlife habitat, and clean water, through conservation of forest cover on watersheds, shelterbelts, and windbreaks.

**(b) Community and Private Land Fire Assistance Program**

**(1) Establishment; purpose**

The Secretary shall establish a Community and Private Land Fire Assistance program (in this subsection referred to as the “Program”)—

- (A) to focus the Federal role in promoting optimal firefighting efficiency at the Federal, State, and local levels;
- (B) to augment Federal projects that establish landscape level protection from wildfires;
- (C) to expand outreach and education programs to homeowners and communities about fire prevention; and
- (D) to establish space around homes and property of private landowners that is defensible against wildfires.

**(2) Administration and implementation**

The Program shall be administered by the Forest Service and implemented through State foresters or equivalent State officials.

**(3) Components**

In coordination with existing authorities under this chapter, the Secretary, in consultation with the State forester or equivalent State official, may undertake on non-Federal lands—

- (A) fuel hazard mitigation and prevention;
- (B) invasive species management;
- (C) multiresource wildfire planning;
- (D) community protection planning;
- (E) community and landowner education enterprises, including the program known as FIREWISE;
- (F) market development and expansion;
- (G) improved wood utilization; and
- (H) special restoration projects.

**(4) Consent required**

Program activities undertaken by the Secretary on non-Federal lands shall be undertaken only with the consent of the owner of the lands.

**(5) Considerations**

The Secretary shall use persons in the local community wherever possible to carry out projects under the Program.

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscprint.html>).*

**(c) Consultation**

In carrying out this section, the Secretary shall consult with the Administrator of the United States Fire Administration, the Director of the National Institute of Standards and Technology, and the heads of other Federal agencies, as necessary.

**(d) Authorization of appropriations**

There are hereby authorized to be appropriated to the Secretary to carry out this section—

- (1) \$35,000,000 for each of fiscal years 2002 through 2007; and
- (2) such sums as are necessary for fiscal years thereafter.

(Pub. L. 95–313, § 10A, as added Pub. L. 107–171, title VIII, § 8003(b), May 13, 2002, 116 Stat. 473.)

**Findings for Enhanced Community Fire Protection**

Pub. L. 107–171, title VIII, § 8003(a), May 13, 2002, 116 Stat. 473, provided that: “Congress finds the following:

“(1) The severity and intensity of wildland fires has increased dramatically over the past few decades as a result of past fire and land management policies.

“(2) The record 2000 fire season is a prime example of what can be expected if action is not taken.

“(3) Wildland fires threaten not only the forested resources of the United States, but also the thousands of communities intermingled with the wildlands in the wildland-urban interface.

“(4) The National Fire Plan, if implemented to achieve appropriate priorities, is the proper, coordinated, and most effective means to address the issue of wildfires.

“(5) While adequate authorities exist to tackle the wildfire issues at the landscape level on Federal lands, there is limited authority to take action on most private lands, and the largest threat to life and property exists on private lands.

“(6) There is a significant Federal interest in enhancing community protection from wildfire.”