

tional forest purposes, the Secretary of Agriculture is authorized, in his discretion, to accept on behalf of the United States title to any such land so donated or devised, subject to such reservations by the donor of the present stand of merchantable timber or of mineral or other rights for a period not exceeding twenty years as the Secretary of Agriculture may find to be reasonable and not detrimental to the purposes of this section, and to pay out of any moneys appropriated for the general expenses of the Forest Service the cost of recording deeds or other expenses incident to the examination and acceptance of title. Any lands to which title is so accepted shall be in units of such size or so located as to be capable of economical administration as national forests either separately or jointly with other lands acquired under this section, or jointly with an existing national forest. All lands to which title is accepted under this section shall, upon acceptance of title, become national forest lands, subject to all laws applicable to lands acquired under the Act of March 1, 1911, and amendments thereto. In the sale of timber from national forest lands acquired under this section preference shall be given to applicants who will furnish the products desired therefrom to meet the necessities of citizens of the United States engaged in agriculture in the States in which such national forest is situated. All property, rights, easements, and benefits authorized by this section to be retained by or reserved to owners of lands donated or devised to the United States shall be subject to the tax laws of the States where such lands are located.

(June 7, 1924, ch. 348, § 7, 43 Stat. 654.)

#### REFERENCES IN TEXT

Act of March 1, 1911, referred to in text, is act Mar. 1, 1911, ch. 186, 36 Stat. 961, as amended, popularly known as the Weeks Law, which is classified to sections 480, 500, 513 to 519, 521, 552, and 563 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 552 of this title and Tables.

#### § 570. Ascertainment by Secretary of Agriculture of public lands valuable for stream-flow protection and report thereof

The Secretary of Agriculture is authorized to ascertain and determine the location of public lands chiefly valuable for stream-flow protection or for timber production, which can be economically administered as parts of national forests, and to report his findings to the National Forest Reservation Commission established under the Act of March 1, 1911, and if the commission shall determine that the administration of said lands by the Federal Government will protect the flow of streams used for navigation or for irrigation, or will promote a future timber supply, the President shall lay the findings of the commission before the Congress of the United States.

(June 7, 1924, ch. 348, § 8, 43 Stat. 655.)

#### REFERENCES IN TEXT

The National Forest Reservation Commission, referred to in text, was established under section 4 of Act Mar. 1, 1911 (16 U.S.C. 513). Section 4 of the 1911 act was repealed, and all functions of the National Forest Res-

ervation Commission were transferred to the Secretary of Agriculture, by section 17(a)(1) of Pub. L. 94-588, Oct. 22, 1976, 90 Stat. 2961.

#### § 571. Repealed. Apr. 24, 1950, ch. 97, § 17(a), 64 Stat. 87

Section, act Mar. 3, 1925, ch. 457, § 2, 43 Stat. 1132, related to construction of buildings for national forest purposes.

#### §§ 571a, 571b. Omitted

#### CODIFICATION

Section 571a, Pub. L. 85-77, title II, July 1, 1957, 71 Stat. 270, which related to maximum allowance on construction costs, was from the Department of the Interior and Related Agencies Appropriations Act, 1958, and was not repeated in subsequent appropriation acts.

Section 571b, Pub. L. 85-439, title II, June 4, 1958, 72 Stat. 167, which related to maximum allowance for building improvements, was from the Department of the Interior and Related Agencies Appropriation Act, 1959, and was not repeated in subsequent appropriation acts.

#### PRIOR PROVISIONS

Provisions similar to former section 571a of this title were carried in following prior appropriation acts:

June 13, 1956, ch. 380, title II, 70 Stat. 268.  
 June 16, 1955, ch. 147, title II, 69 Stat. 153.  
 June 29, 1954, ch. 409, title I, 68 Stat. 307.  
 July 28, 1953, ch. 251, title I, 67 Stat. 211.  
 July 5, 1952, ch. 574, title I, 66 Stat. 342.  
 Aug. 31, 1951, ch. 374, title I, 65 Stat. 232.  
 Sept. 6, 1950, ch. 896, Ch. VI, title I, 64 Stat. 665.  
 June 29, 1949, ch. 280, title I, 63 Stat. 337.  
 June 19, 1948, ch. 543, 62 Stat. 520.  
 July 30, 1947, ch. 356, title I, 61 Stat. 523.  
 June 22, 1946, ch. 445, 60 Stat. 283.  
 May 5, 1945, ch. 109, 59 Stat. 149.  
 June 28, 1944, ch. 296, 58 Stat. 442.  
 July 12, 1943, ch. 215, 57 Stat. 411.  
 July 22, 1942, ch. 516, 56 Stat. 679.  
 July 1, 1941, ch. 267, 55 Stat. 421.  
 June 25, 1940, ch. 421, 54 Stat. 545.  
 June 30, 1939, ch. 253, title I, 53 Stat. 954.

Provisions similar to former section 571b of this title were contained in the following prior appropriation acts:

July 1, 1957, Pub. L. 85-77, title II, 71 Stat. 270.  
 June 13, 1956, ch. 380, title II, 70 Stat. 268.  
 June 16, 1955, ch. 147, title II, 69 Stat. 153.  
 June 29, 1954, ch. 409, title I, 68 Stat. 309.  
 July 28, 1953, ch. 251, title I, 67 Stat. 213.  
 July 5, 1952, ch. 574, title I, 66 Stat. 343.  
 Aug. 31, 1951, ch. 374, title I, 65 Stat. 233.  
 Sept. 6, 1950, ch. 896, Ch. VI, title I, 64 Stat. 667.  
 June 29, 1949, ch. 280, title I, 63 Stat. 339.  
 June 19, 1948, ch. 543, 62 Stat. 520.  
 July 30, 1947, ch. 356, title I, 61 Stat. 523.  
 June 22, 1946, ch. 445, 60 Stat. 283.  
 May 5, 1945, ch. 109, 59 Stat. 152.

#### § 571c. Erection of permanent facilities on land not owned by United States; long term leases

Notwithstanding the provisions of existing law and without regard to sections 3111 and 3112 of title 40, but within the limitations of cost otherwise applicable, appropriations of the Forest Service may be expended for the erection of buildings, lookout towers, and other structures on land owned by States, counties, municipalities, or other political subdivisions, corporations, or individuals: *Provided*, That prior to such erection there is obtained the right to use the land for the estimated life of or need for the

structure, including the right to remove any such structure within a reasonable time after the termination of the right to use the land.

(Apr. 24, 1950, ch. 97, § 1, 64 Stat. 82.)

CODIFICATION

“Sections 3111 and 3112 of title 40” substituted in text for “section 355, Revised Statutes, as amended (40 U.S.C. 255)” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

**§ 572. Cooperation between Secretary of Agriculture and public or private agencies in working land under State or private ownership**

**(a) Payment of expenses by interested parties; work contemplated**

The Secretary of Agriculture is authorized, where the public interest justifies, to cooperate with or assist public and private agencies, organizations, institutions, and persons in performing work on land in State, county, municipal, or private ownership, situated within or near a national forest, for which the administering agency, owner, or other interested party deposits in one or more payments a sufficient sum to cover the total estimated cost of the work to be done for the benefit of the depositor, for administration, protection, improvement, reforestation, and such other kinds of work as the Forest Service is authorized to do on lands of the United States: *Provided*, That the United States shall not be liable to the depositor or land-owner for any damage incident to the performance of such work.

**(b) Cooperation where national forests or lands are used by permittees**

Cooperation and assistance on the same basis as that authorized in subsection (a) of this section is authorized also in the performance of any such kinds of work in connection with the occupancy or use of the national forests or other lands administered by the Forest Service.

**(c) Disposition and availability of moneys; advancements; adjustments**

Moneys deposited under this section shall be covered into the Treasury and shall constitute a special fund, which is made available until expended for payment of the cost of work performed by the Forest Service and for refunds to depositors of amounts deposited by them in excess of their share of said cost: *Provided*, That when deposits are received for a number of similar types of work on adjacent or overlapping areas, or on areas which in the aggregate are determined to cover a single work unit, they may be expended on such combined areas for the purposes for which deposited, in which event refunds to the depositors of the total amount of the excess deposits involved will be made on a proportionate basis: *Provided further*, That when so provided by written agreement payment for work undertaken pursuant to this section may be made from any Forest Service appropriation available for similar types of work, and reimbursement received from said agencies, organizations, institutions, or persons covering their proportionate share of the cost and the funds re-

ceived as reimbursement shall be deposited to the credit of the Forest Service appropriation from which initially paid or to appropriations for similar purposes currently available at the time of deposit: *Provided further*, That when by the terms of a written agreement either party thereto furnishes materials, supplies, equipment, or services for fire emergencies in excess of its proportionate share, adjustment may be made by reimbursement or by replacement in kind of supplies, materials, and equipment consumed or destroyed in excess of the furnishing party's proportionate share.

(Mar. 3, 1925, ch. 457, § 1, 43 Stat. 1132; Apr. 24, 1950, ch. 97, § 5, 64 Stat. 83.)

AMENDMENTS

1950—Act Apr. 24, 1950, amended section generally to broaden the authority to permit performance of various kinds of work by the Forest Service, at the expense of interested parties, on national forests and other related lands.

APPROPRIATIONS

Appropriation of all moneys received as contributions toward cooperative work under this section was made by acts Jan. 18, 1927, ch. 39, 44 Stat. 991; Mar. 26, 1934, ch. 89, 48 Stat. 483.

TRUST FUNDS

Classification as trust funds, appropriation and disbursement of funds appearing on books of Government as “Cooperative work, Forest Service,” see section 1321 of Title 31, Money and Finance.

**§ 572a. Deposits from timber purchasers to defray cost of scaling services**

The Forest Service may accept money from timber purchasers for deposit into the Treasury in the trust account, “Forest Service cooperative fund”, which moneys are made available for scaling services requested by purchasers in addition to those required by the Forest Service, and for refunds of amounts deposited in excess of the cost of such work.

(Sept. 21, 1944, ch. 412, title II, § 210, 58 Stat. 737.)

CODIFICATION

Section was enacted as a part of the Department of Agriculture Organic Act of 1944.

**§ 573. Repealed. Apr. 24, 1950, ch. 97, § 17(a), 64 Stat. 87**

Section, act May 27, 1930, ch. 337, § 1, 46 Stat. 387, related to water supply and sanitary systems.

**§ 574. Damages caused private property in protection, administration, and improvement of national forests; reimbursement**

The Secretary of Agriculture is authorized to reimburse owners of private property for damage or destruction thereof caused by employees of the United States in connection with the protection, administration, or improvement of the national forests, payment to be made from any funds appropriated for the protection, administration, and improvement of the national forests: *Provided*, That no payment in excess of \$2,500 shall be made on any such claim.

(May 27, 1930, ch. 337, § 2, 46 Stat. 387; Pub. L. 87-869, § 8, Oct. 23, 1962, 76 Stat. 1157.)