

of Agriculture shall provide funds from any account available to the Secretary, not to exceed \$200,000 in fiscal year 2001, for the work of the Advisory Committee necessary to meet the requirements of this section.”

[Pub. L. 108-319, §1, Oct. 5, 2004, 118 Stat. 1212, provided that the amendment made by section 1 to section 320 of Pub. L. 106-291, set out above, is effective as of Oct. 11, 2003.]

#### SHARING OF FOREST SERVICE TIMBER SALE RECEIPTS

Pub. L. 103-66, title XIII, §13982, Aug. 10, 1993, 107 Stat. 681, as amended by Pub. L. 103-443, §1(a), Nov. 2, 1994, 108 Stat. 4631, which related to the amount of payments for each fiscal year from 1994 through 2003 that the Secretary of the Treasury was to make, in lieu of making the 25-percent payments to States, for the benefit of counties eligible to receive the 25-percent payments to States, was repealed by Pub. L. 106-393, title IV, §404, Oct. 30, 2000, 114 Stat. 1623.

#### DISTRIBUTION OF MONEYS RECEIVED FROM TIMBER SALVAGE SALES PROGRAM

Pub. L. 102-381, title II, Oct. 5, 1992, 106 Stat. 1401, provided: “That notwithstanding any other provision of law, moneys received from the timber salvage sales program in fiscal year 1993 and subsequent fiscal years shall be considered as money received for purposes of computing and distributing 25 per centum payments to local governments under 16 U.S.C. 500, as amended.”

Similar provisions were contained in the following appropriations act:

Pub. L. 103-138, title II, Nov. 11, 1993, 107 Stat. 1402.

#### § 501. Expenditures from receipts for roads and trails; cooperation with State authorities; evaluation of receipts

On or after Mar. 4, 1913, ten per centum of all moneys received from the national forests during each fiscal year shall be available at the end thereof, to be expended by the Secretary of Agriculture for the construction and maintenance of roads and trails within the national forests in the States from which such proceeds are derived; but the Secretary of Agriculture may, whenever practicable, in the construction and maintenance of such roads, secure the cooperation or aid of the proper State or Territorial authorities in the furtherance of any system of highways of which such roads may be made a part. In sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products the amounts made available for schools and roads by this section shall be based upon the stumpage value of the timber.

(Mar. 4, 1913, ch. 145, §1 (part), 37 Stat. 843; Sept. 21, 1944, ch. 412, title II, §212, 58 Stat. 737.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

June 28, 1944, ch. 296, 58 Stat. 444.

July 12, 1943, ch. 215, 57 Stat. 412.

July 22, 1942, ch. 516, 56 Stat. 680.

July 1, 1941, ch. 267, 55 Stat. 423.

#### AMENDMENTS

1944—Act Sept. 21, 1944, inserted sentence relating to stumpage value of the timber.

#### SAVINGS PROVISION

Provisions of Federal Land Policy and Management Act of 1976, Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, not to be construed as affecting the distribution of livestock grazing revenues to local governments under this section, see section 701(j) of Pub. L. 94-579, set out as a note under section 1701 of Title 43, Public Lands.

#### § 501a. Omitted

#### CODIFICATION

Section, acts June 30, 1939, ch. 253, title I, 53 Stat. 956; June 25, 1940, ch. 421, 54 Stat. 547, related to the evaluation of receipts for sections 500 and 501 of this title. See sections 500 and 501 of this title.

#### § 502. Rental of property for Forest Service; forage, care, and housing of animals; storage of vehicles and other equipment; pack stock; loss, damage, or destruction of horses, vehicles, and other equipment

The Secretary of Agriculture is authorized, under such regulations as he may prescribe:

(a) To hire or rent property from employees of the Forest Service for the use of that Service whenever the public interest will be promoted thereby.

(b) To provide forage, care, and housing for animals, and storage for vehicles and other equipment obtained by the Forest Service for the use of that service from employees.

(c) To contract with public and private agencies, corporations, firms, associations, or individuals to train, provide forage, care, and housing for, and to work pack stock owned and held in reserve by the Forest Service for fire emergency purposes and as all or part of the consideration therefor to permit such contractors to use the stock for their own purposes during the periods of nonuse by the Forest Service.

(d) To reimburse owners for loss, damage, or destruction of horses, vehicles, and other equipment obtained by the Forest Service for the use of that service from employees or other private owners: *Provided*, That payments or reimbursements herein authorized may be made from the applicable appropriations for the Forest Service: *And provided further*, That except for fire fighting emergencies no reimbursement herein authorized shall be made in an amount in excess of \$50 to persons who were employees of the Forest Service prior to the time the equipment was obtained or \$2,500 in any other case, unless the equipment was made available under a written agreement, contract, or lease.

(Mar. 4, 1913, ch. 145, §1 (part), 37 Stat. 843; Jan. 31, 1931, ch. 76, 46 Stat. 1052; Pub. L. 85-464, §1, June 20, 1958, 72 Stat. 216; Pub. L. 89-270, Oct. 19, 1965, 79 Stat. 991; Pub. L. 97-375, title I, §103(b), Dec. 21, 1982, 96 Stat. 1819.)

#### AMENDMENTS

1982—Subsec. (a). Pub. L. 97-375 struck out provision that the Secretary transmit to Congress a statement of rentals under the authority of this paragraph as soon as practicable after the end of each fiscal year.

1965—Subsec. (a). Pub. L. 89-270 required the transmittal of statement of rentals during the fiscal year to congressional committees and omitted restriction against use of hired or rented property by the employee from whom hired or rented and \$3,000 limitation on aggregate amount of payment in any one year to permanent employees, exclusive of fire emergency obligations.

1958—Subsecs. (c), (d). Pub. L. 85-464 added subsec. (c), redesignated former subsec. (c) as (d) and authorized reimbursement in an amount not in excess of \$2,500 in any case where the person is not an employee of the Forest Service at the time the equipment is obtained.

1931—Act Jan. 31, 1931, substituted “The Secretary of Agriculture is authorized, under such regulations as he

may prescribe" for prior provision which authorized Secretary to reimburse owners of private property lost or damaged while being used for necessary official business.

Subsecs. (a) to (c). Act Jan. 31, 1931, added subsecs. (a) to (c).

**§ 503. Repealed. Pub. L. 85-767, § 2[1], Aug. 27, 1958, 72 Stat. 919**

Section, act July 11, 1916, ch. 241, § 8, 39 Stat. 358, related to appropriations for roads and trails, and cooperative agreements by the Secretary of Agriculture and States.

**§ 503a. Omitted**

CODIFICATION

Section, acts May 16, 1928, ch. 572, 45 Stat. 569; Feb. 16, 1929, ch. 227, 45 Stat. 1220, which related to purpose for which appropriations for carrying out the provisions of section 503 of this title were available, was omitted in view of repeal of section 503 of this title.

**§ 504. Purchases of tree seeds, cones, forage plant seed, and nursery stock for national forests**

The provisions of section 6101 of title 41 shall not apply to any purchase by the Forest Service of forest-tree seed or cones or of forage plant seed when the amount involved does not exceed \$10,000, nor to any purchase of forest-tree nursery stock when the amount involved does not exceed \$500, whenever, in the discretion of the Secretary of Agriculture, such method is in the public interest.

(June 30, 1914, ch. 131, 38 Stat. 429; Apr. 24, 1950, ch. 97, § 2, 64 Stat. 83.)

CODIFICATION

In text, "section 6101 of title 41" substituted for "section 3709, Revised Statutes (41 U.S.C. 5)," on authority of Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

1950—Act Apr. 24, 1950, increased open market purchase limitation from \$500 to \$10,000 on forest-tree seed or cones or forage plant seed.

**§ 504a. Sale of forest-tree seed and nursery stock to States and political subdivisions; disposition of moneys; exchanges; limitation**

The Secretary of Agriculture is authorized, subject to such conditions as he may prescribe, to sell forest-tree seed and nursery stock to States and political subdivisions thereof and to public agencies of other countries, at rates not less than the actual or estimated cost to the United States of procuring or producing such seed or nursery stock, moneys received from the sale thereof to be credited to the appropriation or appropriations of the Forest Service currently available for the procurement or production of seed or nursery stock at the time such moneys are deposited: *Provided*, That the Secretary of Agriculture may exchange with such public agencies forest-tree seed and nursery stock for forest-tree seed or nursery stock of the same or different species upon a determination that such exchange is in the interest of the United States and that the value of the property given in exchange does not exceed the value of the property received: *Provided further*, That no

nursery stock shall be sold or exchanged under this section as ornamental or other stock for landscape planting of the types commonly grown by established commercial nurserymen.

(Apr. 24, 1950, ch. 97, § 9, 64 Stat. 85.)

**§ 505. Use of national forests established on land reserved for purposes of national defense; maintenance available**

Where a national forest is established under section 471(b) of this title on land previously reserved for the Army or Navy for purposes of national defense the land shall remain subject to the unhampered use of the Department of the Army or Navy Department for said purposes and nothing in this section or section 471(b) of this title shall be construed to relinquish the authority over such lands for purposes of national defense now vested in the department for which the lands were formerly reserved. Any moneys available for the maintenance, improvement, protection, construction of highways and general administration of the national forests shall be available for expenditure on national forests created under this section.

(June 7, 1924, ch. 348, § 9, 43 Stat. 655; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

CODIFICATION

Section is based on the second and third sentences of section 9 of act June 7, 1924. Section 471(b) of this title, referred to in text, was based on the first and fifth sentences of section 9 of the 1924 act, and was repealed by section 704(a) of Pub. L. 94-579. Section 499 of this title is based in part on the fourth sentence of section 9 of the 1924 act.

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued military Department of the Army under administrative supervision of Secretary of the Army.

**§ 505a. Interchange of lands between Department of Agriculture and military departments of Department of Defense; report to Congress**

The Secretary of Agriculture with respect to National Forest System lands and the Secretary of a military department with respect to lands under the control of the military department which lie within or adjacent to the exterior boundaries of a unit of the National Forest System are authorized, subject to any applicable provisions of chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, to interchange such lands, or any part thereof, without reimbursement or transfer of funds whenever they shall determine that such interchange will facilitate land management and will provide maximum use thereof for authorized purposes: *Provided*, That no such interchange of lands shall become effective until forty-five days (counting only days occurring during any regular or special session of the Congress) after