

## REFERENCES IN TEXT

Sections 564 and 565 of this title, referred to in text, were repealed by Pub. L. 95-313, §13(a)(1), July 1, 1978, 92 Stat. 374.

**§ 565a-1. Cooperative agreements between Secretary of Agriculture and public or private agencies, organizations, institutions, and persons covering Forest Service programs; authority; funding**

To facilitate the administration of the programs and activities of the Forest Service, the Secretary is authorized to negotiate and enter into cooperative agreements with public or private agencies, organizations, institutions, or persons to construct, operate, and maintain cooperative pollution abatement equipment and facilities, including sanitary landfills, water systems, and sewer systems; to engage in cooperative manpower and job training and development programs; to develop and publish cooperative environmental education and forest history materials; and to perform forestry protection, including fire protection, timber stand improvement, debris removal, and thinning of trees. The Secretary may enter into aforesaid agreements when he determines that the public interest will be benefited and that there exists a mutual interest other than monetary considerations. In such cooperative arrangements, the Secretary is authorized to advance or reimburse funds to co-operators from any Forest Service appropriation available for similar kinds of work or by furnishing or sharing materials, supplies, facilities, or equipment without regard to the provisions of section 3324(a) and (b) of title 31, relating to the advance of public moneys.

(Pub. L. 94-148, §1, Dec. 12, 1975, 89 Stat. 804.)

## CODIFICATION

“Section 3324(a) and (b) of title 31” substituted in text for “the Act of January 31, 1823 (Rev. Stat. 3648, as amended; 31 U.S.C. 529)” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

MUTUAL BENEFIT OF AGREEMENTS TO FOREST SERVICE AND OTHER PARTIES

Pub. L. 108-7, div. F, title III, §321, Feb. 20, 2003, 117 Stat. 274, as amended by Pub. L. 109-54, title IV, §426, Aug. 2, 2005, 119 Stat. 555; Pub. L. 110-161, div. F, title IV, §417, Dec. 26, 2007, 121 Stat. 2149, provided that: “Until September 30, 2010, the authority of the Secretary of Agriculture to enter into an agreement under the first section of Public Law 94-148 (16 U.S.C. 565a-1) for a purpose described in such section includes the authority to use that legal instrument when the principal purpose of the resulting relationship is to the mutually significant benefit of the Forest Service and the other party or parties to the agreement, including nonprofit entities. An agreement entered into under this section shall not be subject to Public Law 95-224, Federal Grant and Cooperative Agreement Act (1977) [see section 6301 et seq. of Title 31, Money and Finance].”

Similar provisions were contained in the following prior appropriation act:

Pub. L. 107-63, title III, §328, Nov. 5, 2001, 115 Stat. 470.

**§ 565a-2. Federal employee status of cooperators**

In any agreement authorized by section 565a-1 of this title, cooperators and their employees may perform cooperative work under supervision of the Forest Service in emergencies or

otherwise as mutually agreed to, but shall not be deemed to be Federal employees other than for the purposes of chapter 171 of title 28 and chapter 81 of title 5.

(Pub. L. 94-148, §2, Dec. 12, 1975, 89 Stat. 804.)

**§ 565a-3. Agreements otherwise authorized by law**

Nothing in sections 565a-1 to 565a-3 of this title shall be construed as limiting or modifying the authority of the Secretary to enter into cooperative agreements otherwise authorized by law.

(Pub. L. 94-148, §3, Dec. 12, 1975, 89 Stat. 804.)

**§ 565b. Transfer of fire lookout towers and other improvements for fire control to States, political subdivisions or agencies; reversion**

The Secretary of Agriculture is authorized, subject to such conditions as he may prescribe, to transfer, without reimbursement or at such prices and upon such terms as he may impose, to States and political subdivisions or agencies thereof fire lookout towers and other structures or improvements used by the Forest Service for fire prevention or suppression purposes, and the land used in connection therewith if such land is outside national forest boundaries, when they are no longer needed by the Forest Service for such purposes but are of value to the State or political subdivision or agency thereof in its fire protection system: *Provided*, That if any property so transferred is not put to use for the purpose for which it was transferred within two years from the date of transfer, or if, within fifteen years from the date of transfer, any such property should cease to be used for the purpose for which it was transferred for a period of two years, title thereto shall revert to and immediately revert in the United States.

(Pub. L. 85-464, §5, June 20, 1958, 72 Stat. 217.)

**§ 566. Repealed. Pub. L. 95-313, §16(a)(1), formerly §13(a)(1), July 1, 1978, 92 Stat. 374; renumbered §16(a)(1), Pub. L. 101-624, title XII, §1215(1), Nov. 28, 1990, 104 Stat. 3525**

Section, acts June 7, 1924, ch. 348, §3, 43 Stat. 653; May 5, 1944, ch. 189, 58 Stat. 216; May 5, 1972, Pub. L. 92-288, §3(a), 86 Stat. 134, authorized expenditures by the Secretary of Agriculture for study of effects of tax and other laws on forest perpetuation, etc.

## EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 17 of Pub. L. 95-313, set out as an Effective Date note under section 2101 of this title.

**§ 566a. Repealed. Pub. L. 92-288, §3(b), May 5, 1972, 86 Stat. 134**

Section, act Oct. 26, 1949, ch. 735, §1, 63 Stat. 909, provided for annual authorization of appropriations for carrying out sections 564, 565, and 566 of this title, with maximum limits for the fiscal years ending June 30, 1950 through June 30, 1954.

**§ 566b. Annual appropriations; limitation on use of other funds for the purposes of sections 564, 565, and 566<sup>1</sup>**

Notwithstanding any other provision of law, no funds heretofore or hereafter authorized to be appropriated to the Department of Agriculture or available under any other than the Act of June 7, 1924 (43 Stat. 653), shall be used for carrying out the programs or activities authorized by sections 564, 565, and 566<sup>1</sup> of this title: *Provided*, That whenever the programs and activities being carried out under the provisions of sections 564, 565, and 566<sup>1</sup> of this title are inadequate to the needs and purposes of programs and activities authorized by other law the use of funds specifically authorized to be appropriated to the Department of Agriculture or made available under other law shall not be prohibited to the extent that the programs and activities under said sections are inadequate to accomplish the purposes of such other programs or activities.

(Oct. 26, 1949, ch. 735, § 4, 63 Stat. 910.)

REFERENCES IN TEXT

Act of June 7, 1924, referred to in text, is act June 7, 1924, ch. 348, 43 Stat. 653, which is classified to sections 471, 499, 505, 515, 564, 565, 566, 567, 568, 569, and 570 of this title. For complete classification of this Act to the Code, see Tables.

Sections 564, 565, and 566 of this title, referred to in text, were repealed by Pub. L. 95-313, § 13(a)(1), July 1, 1978, 92 Stat. 374.

**§ 567. Repealed. Pub. L. 95-313, § 16(a)(1), formerly § 13(a)(1), July 1, 1978, 92 Stat. 374; renumbered § 16(a)(1), Pub. L. 101-624, title XII, § 1215(1), Nov. 28, 1990, 104 Stat. 3525**

Section, acts June 7, 1924, ch. 348, § 4, 43 Stat. 654; Oct. 26, 1949, ch. 735, § 2, 63 Stat. 909, required cooperation between Secretary of Agriculture and States in procuring, etc., forest-tree seeds and plants.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1978, see section 17 of Pub. L. 95-313, set out as an Effective Date note under section 2101 of this title.

**§ 567a. Cooperation by Secretary of Agriculture with States in acquisition and administration of State forests**

For the purpose of stimulating the acquisition, development, and proper administration and management of State forests and of insuring coordinated effort by Federal and State agencies in carrying out a comprehensive national program of forest-land management, the Secretary of Agriculture is authorized to enter into cooperative agreements with appropriate officials of any State or States for acquiring in the name of the United States, by purchase or otherwise, such forest lands within the cooperating State as in his judgment the State is adequately prepared to administer, develop, and manage as State forests in accordance with the provisions of sections 567a to 567c of this title and with such other terms not inconsistent therewith as he shall prescribe, such acquisition to include the mapping, examination, appraisal, and sur-

veying of such lands and the doing of all things necessary to perfect title thereto in the United States: *Provided*, That, since it is the declared policy of Congress to maintain and, where it is in the national interest to extend the national-forest system, nothing herein shall be construed to modify, limit, or change in any manner whatsoever the future ownership and administration by the United States of existing national forests and related facilities, or hereafter to restrict or prevent their extension through the acquisition by purchase or otherwise of additional lands for any national-forest purpose: *Provided further*, That sections 567a to 567c of this title shall not be construed to limit or repeal any legislation authorizing land exchanges by the Federal Government, and private lands acquired by exchange within the limits of any area subject to a cooperative agreement of the character herein authorized shall hereafter be subject to the provisions of sections 567a to 567c of this title.

(Aug. 29, 1935, ch. 808, § 1, 49 Stat. 963.)

**§ 567b. Conditions and requirements for cooperation in acquisition and management of State forests**

No cooperative agreement shall be entered into or continued in force under the authority of sections 567a to 567c of this title or any land acquired hereunder turned over to the cooperating State for administration, development, and management unless the State concerned, as a consideration for the benefits extended to it thereunder, complies in a manner satisfactory to the Secretary of Agriculture with the following conditions and requirements which shall constitute a part of every such agreement:

(a) In order to reduce the need for public expenditures in the acquisition of lands which may be brought into public ownership through the enforcement of appropriate tax delinquency laws, and, by bringing about the handling of such lands upon a sound social and economic basis, to terminate a system of indeterminate and unsound ownership injurious to the private and public interest alike, no additional lands shall be acquired within any State by the United States under sections 567a to 567c of this title after June 30, 1942, unless the State concerned has prior thereto provided by law for the reversion of title to the State or a political unit thereof of tax-delinquent lands and for blocking into State or other public forests the areas which are more suitable for public than private ownership, and which in the public interest should be devoted primarily to the production of timber crops and/or the maintenance of forests for watershed protection, and for the enforcement of such law: *Provided*, That in the administration of sections 567a to 567c of this title prior to June 30, 1942, preference will be given to States applying for cooperation hereunder which provided by law for such reversion of title under tax delinquency laws.

(b) In order to insure a stable and efficient organization for the development and administration of the lands acquired under sections 567a to 567c of this title, the State shall provide for the employment of a State forester, who shall be a trained forester of recognized standing.

<sup>1</sup> See References in Text note below.