

CODIFICATION

Section is from the Department of the Interior and Related Agencies Appropriations Act, 2002.

PRIOR PROVISIONS

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

Pub. L. 106-291, title II, Oct. 11, 2000, 114 Stat. 973.
 Pub. L. 106-113, div. B, §1000(a)(3) [title II], Nov. 29, 1999, 113 Stat. 1535, 1501A-178.

DEFINITIONS OF INDIRECT EXPENDITURES

Pub. L. 105-277, div. A, §101(e) [title II], Oct. 21, 1998, 112 Stat. 2681-231, 2681-274, provided in part: "That not later than 90 days after the date of the enactment of this Act [Oct. 21, 1998], the Forest Service shall provide, to the Committees on Appropriations of the House of Representatives and Senate, proposed definitions, which are consistent with Federal Accounting Standards Advisory Board standards, to be used with the fiscal year 2000 budget, for indirect expenditures: *Provided further*, That the Forest Service shall implement and adhere to the definitions on a nationwide basis without flexibility for modification by any organizational level except the Washington Office, and when changed by the Washington Office, such changes in definition shall be reported in budget requests submitted by the Forest Service: *Provided further*, That the Forest Service shall provide in the fiscal year 2000 budget justification, planned indirect expenditures in accordance with the definitions, summarized and displayed to the Regional, Station, Area, and detached unit office level. The justification shall display the estimated source and amount of indirect expenditures, by expanded budget line item, of funds in the agency's annual budget justification. The display shall include appropriated funds and the Knutson-Vandenberg, Brush Disposal, Cooperative Work-Other, and Salvage Sale funds. Changes between estimated and actual indirect expenditures shall be reported in subsequent budget justifications".

§ 580. Use of Forest Service appropriations for repair, etc. of equipment; rental of fire control equipment to non-Federal agencies

Appropriations for the work of the Forest Service available for the operation, repair, maintenance, and replacement of motor and other equipment may be reimbursed for use of such equipment on projects of the Forest Service chargeable to other appropriations, or on work of other Federal agencies, when requested by such agencies, reimbursement to be made from appropriations applicable to the work on which used at rental rates fixed by the Chief Forester based on the actual or estimated cost of operation, repair, maintenance, depreciation, and equipment management control, and credited to appropriations currently available at the time adjustment is effected. The Forest Service may also rent equipment for fire-control purposes to State, county, private, or other non-Federal agencies cooperating with the Forest Service in fire control under the terms of written cooperative agreements, the amount collected for such rental to be credited to appropriations currently available at the time payment is received.

(Sept. 21, 1944, ch. 412, title II, §204, 58 Stat. 736.)

CODIFICATION

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

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following Department of Agriculture Appropriation Acts:

June 28, 1944, ch. 296, 58 Stat. 443.
 July 12, 1943, ch. 215, 57 Stat. 411.
 July 22, 1942, ch. 516, 56 Stat. 679.
 July 1, 1941, ch. 267, 55 Stat. 421.

§ 580a. Sale and distribution of supplies, equipment, and materials to other Government activities and to cooperating State and private agencies; reimbursement

The Forest Service may sell and distribute supplies, equipment, and materials to other Government activities and to State and private agencies who cooperate with the Forest Service in fire control under terms of written cooperative agreements, the cost of such supplies, equipment, and materials, including the cost of supervision, transportation, warehousing, and handling, to be reimbursed to appropriations current at the time additional supplies, equipment, and materials are procured for warehouse stocks.

(Sept. 21, 1944, ch. 412, title II, §203, 58 Stat. 736.)

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 July 22, 1942, ch. 516, 56 Stat. 679.
 July 1, 1941, ch. 267, 55 Stat. 421.
 June 25, 1940, ch. 421, 54 Stat. 546.
 June 30, 1939, ch. 253, 53 Stat. 955.
 June 16, 1938, ch. 464, 52 Stat. 726.
 June 29, 1937, ch. 404, 50 Stat. 411.
 June 4, 1936, ch. 489, title I, 49 Stat. 1436.
 May 17, 1935, ch. 131, title I, 49 Stat. 261.
 Mar. 26, 1934, ch. 89, title I, 48 Stat. 481.
 Mar. 3, 1933, ch. 203, 47 Stat. 1447.
 July 7, 1932, ch. 443, 47 Stat. 625.

§ 580b. Forest Service telephone lines; correction of inductive interference

Appropriations for the Forest Service shall be available hereafter for the correction of inductive interference on Forest Service telephone lines caused by transmission lines constructed by organizations financed by loans from the Rural Electrification Administration.

(June 29, 1949, ch. 280, title I, 63 Stat. 338.)

§ 580c. Purchases of experimental materials, special devices, test models, etc.

The provisions of section 6101 of title 41 shall not apply to purchases by the Forest Service of (1) materials to be tested or upon which experiments are to be made or (2) special devices, test models, or parts thereof, to be used (a) for experimentation to determine their suitability for or adaptability to accomplishment of the work for which designed or (b) in the designing or developing of new equipment: *Provided*, That not to exceed \$50,000 may be expended in any one fiscal year pursuant to this authority and not to exceed \$10,000 on any one item or purchase.

(Apr. 24, 1950, ch. 97, § 3, 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.

§ 580d. Use of Forest Service structures or improvements and land by public and private agencies, etc.; terms

The Secretary of Agriculture, under such regulations as he may prescribe and at rates and for periods not exceeding thirty years as determined by him, is authorized to permit the use by public and private agencies, corporations, firms, associations, or individuals, of structures or improvements under the administrative control of the Forest Service and land used in connection therewith: *Provided*, That as all or a part of the consideration for permits issued under this section, the Secretary may require the permittees at their expense to renovate, recondition, improve, and maintain the structures and land to a satisfactory standard.

(Apr. 24, 1950, ch. 97, § 7, 64 Stat. 84; Pub. L. 105-277, div. A, §101(e) [title III, §346], Oct. 21, 1998, 112 Stat. 2681-231, 2681-298.)

AMENDMENTS

1998—Pub. L. 105-277, which directed the substitution of “renovate, recondition, improve, and maintain” for “recondition and maintain,” was executed by making the substitution for language which did not include a comma after “maintain” to reflect the probable intent of Congress.

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT

Pub. L. 109-54, title V, Aug. 2, 2005, 119 Stat. 559, as amended by Pub. L. 111-8, div. E, title IV, §422, Mar. 11, 2009, 123 Stat. 748; Pub. L. 112-74, div. E, title IV, §421, Dec. 23, 2011, 125 Stat. 1045, provided that:

“SEC. 501. SHORT TITLE.

“This title may be cited as the ‘Forest Service Facility Realignment and Enhancement Act of 2005’.

“SEC. 502. DEFINITIONS.

“In this title:

“(1) ADMINISTRATIVE SITE.—The term ‘administrative site’ means—

“(A) any facility or improvement, including curtilage, that was acquired or is used specifically for purposes of administration of the National Forest System;

“(B) any Federal land associated with a facility or improvement described in subparagraph (A) that was acquired or is used specifically for purposes of administration of Forest Service activities and underlies or abuts the facility or improvement; or

“(C) not more than 10 isolated, undeveloped parcels per fiscal year of not more than 40 acres each that were acquired or used for purposes of administration of Forest Service activities, but are not being so utilized, such as vacant lots outside of the proclaimed boundary of a unit of the National Forest System.

“(2) FACILITY OR IMPROVEMENT.—The term ‘facility or improvement’ includes—

“(A) a forest headquarters;

“(B) a ranger station;

“(C) a research station or laboratory;

“(D) a dwelling;

“(E) a warehouse;

“(F) a scaling station;

“(G) a fire-retardant mixing station;

“(H) a fire-lookout station;

“(I) a guard station;

“(J) a storage facility;

“(K) a telecommunication facility; and

“(L) other administrative installations for conducting Forest Service activities.

“(3) MARKET ANALYSIS.—The term ‘market analysis’ means the identification and study of the real estate market for a particular economic good or service.

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

“SEC. 503. AUTHORIZATION FOR CONVEYANCE OF FOREST SERVICE ADMINISTRATIVE SITES.

“(a) CONVEYANCES AUTHORIZED.—In the manner provided by this title, the Secretary may convey an administrative site, or an interest in an administrative site, that is under the jurisdiction of the Secretary.

“(b) MEANS OF CONVEYANCE.—The conveyance of an administrative site under this title may be made—

“(1) by sale;

“(2) by lease;

“(3) by exchange;

“(4) by a combination of sale and exchange; or

“(5) by such other means as the Secretary considers appropriate.

“(c) SIZE OF CONVEYANCE.—An administrative site or compound of administrative sites disposed of in a single conveyance under this title may not exceed 40 acres.

“(d) CERTAIN LANDS EXCLUDED.—The following Federal land may not be conveyed under this title:

“(1) Any land within a unit of the National Forest System that is exclusively designated for natural area or recreational purposes.

“(2) Any land included within the National Wilderness Preservation System, the Wild and Scenic River System, or a National Monument.

“(3) Any land that the Secretary determines—

“(A) is needed for resource management purposes or to provide access to other land or water;

“(B) is surrounded by National Forest System land or other publicly owned land, if conveyance would not be in the public interest due to the creation of a non-Federal inholding that would preclude the efficient management of the surrounding land; or

“(C) would be in the public interest to retain.

“(e) CONGRESSIONAL NOTIFICATIONS.—

“(1) NOTICE OF ANTICIPATED USE OF AUTHORITY.—As part of the annual budget justification documents provided to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, the Secretary shall include—

“(A) a list of the anticipated conveyances to be made, including the anticipated revenue that may be obtained, using the authority provided by this title or other conveyance authorities available to the Secretary;

“(B) a discussion of the intended purposes of any new revenue obtained using this authority or other conveyance authorities available to the Secretary, and a list of any individual projects that exceed \$500,000; and

“(C) a presentation of accomplishments of previous years using this authority or other conveyance authorities available to the Secretary.

“(2) NOTICE OF CHANGES TO CONVEYANCE LIST.—If the Secretary proposes to convey an administrative site under this title or using other conveyance authorities available to the Secretary and the administrative site is not included on a list provided under paragraph (1)(A), the Secretary shall submit to the congressional committees specified in paragraph (3) written notice of the proposed conveyance, including the anticipated revenue that may be obtained from the conveyance.

“(3) NOTICE OF USE OF AUTHORITY.—At least once a year, the Secretary shall submit to the Committee on