

## TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

**§ 33. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641**

Section, act June 16, 1880, ch. 235, 21 Stat. 274, authorized Secretary of War to detail officers of Ordnance Corps to serve with Geological Survey.

**§ 34. Scientific employees**

The scientific employees of the United States Geological Survey shall be selected by the Director, subject to the approval of the Secretary of the Interior exclusively for their qualifications as professional experts.

(July 7, 1884, ch. 332, 23 Stat. 212; Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 1000.)

## CHANGE OF NAME

“United States Geological Survey” substituted in text for “Geological Survey” pursuant to provision of title I of Pub. L. 102-154, set out as a note under section 31 of this title.

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**§ 35. Repealed. Pub. L. 87-304, § 9(a)(2), Sept. 26, 1961, 75 Stat. 664**

Section, act June 30, 1906, ch. 3914, §1, 34 Stat. 727, authorized scientific and other employees of the United States Geological Survey employed in the field to make assignments of pay, and that they be reimbursed for expenses incurred in the discharge of duty in the field and paid from personal funds. See section 5525 of Title 5, Government Organization and Employees.

**§ 36. Purchase of books**

The purchase of professional and scientific books and periodicals needed for statistical purposes by the scientific divisions of the United States Geological Survey is authorized to be made and paid for out of appropriations made for the said Survey.

(June 28, 1902, ch. 1301, §1, 32 Stat. 455.)

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**§ 36a. Acquisition of scientific or technical books, maps, etc., for library**

The Director of the United States Geological Survey, under the general supervision of the Secretary of the Interior, is authorized to acquire for the United States, by gift or devise, scientific or technical books, manuscripts,

maps, and related materials, and to deposit the same in the library of the United States Geological Survey for reference and use as authorized by law.

(May 14, 1940, ch. 190, 54 Stat. 212; Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 1000.)

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**§ 36b. Acquisition of lands or interests therein for use in gaging streams or underground water resources**

The Secretary of the Interior may, on behalf of the United States and for use by the United States Geological Survey in gaging streams and underground water resources, acquire lands by donation or when funds have been appropriated by Congress by purchase or condemnation, but not in excess of ten acres for any one stream gaging station or observation well site. For the same purpose the Secretary of the Interior may obtain easements, licenses, rights-of-way, and leases limited to run for such a period of time or term of years as may be required for the effective performance of the function of gaging streams and underground water resources: *Provided*, That nothing in this section shall be construed as affecting or intended to affect or in any way to interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this section, shall proceed in conformity with such laws, and nothing in this section shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water, in, to, or from any interstate stream or the waters thereof.

(Dec. 24, 1942, ch. 822, 56 Stat. 1086; Pub. L. 86-406, Apr. 4, 1960, 74 Stat. 14; Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 1000.)

## AMENDMENTS

1960—Pub. L. 86-406 authorized Secretary of the Interior to acquire lands and interests in lands for observation well sites to gage underground water resources.

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**§ 36c. Acceptance of contributions from public and private sources; cooperation with other agencies in prosecution of projects**

In fiscal year 1987 and thereafter the United States Geological Survey is authorized to accept

lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

(Pub. L. 99-500, §101(h) [title I], Oct. 18, 1986, 100 Stat. 1783-242, 1783-252, and Pub. L. 99-591, §101(h) [title I], Oct. 30, 1986, 100 Stat. 3341-242, 3341-252; Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 1000.)

#### CODIFICATION

Pub. L. 99-591 is a corrected version of Pub. L. 99-500.

#### CHANGE OF NAME

“United States Geological Survey” substituted in text for “Geological Survey” pursuant to provision of title I of Pub. L. 102-154, set out as a note under section 31 of this title.

### § 36d. Cooperative agreements

Notwithstanding the provisions of the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301-6308), the United States Geological Survey is authorized to continue existing, and on and after November 10, 2003, to enter into new cooperative agreements directed towards a particular cooperator, in support of joint research and data collection activities with Federal, State, and academic partners funded by appropriations herein, including those that provide for space in cooperator facilities.

(Pub. L. 108-108, title I, Nov. 10, 2003, 117 Stat. 1254.)

#### REFERENCES IN TEXT

The Federal Grant and Cooperative Agreement Act of 1977, referred to in text, is Pub. L. 95-224, Feb. 3, 1978, 92 Stat. 3, which was classified generally to chapter 8 (§501 et seq.) of former Title 41, Public Contracts, and was repealed and reenacted as chapter 63 (§6301 et seq.) of Title 31, Money and Finance, by Pub. L. 97-258, §§1, 5(b), Sept. 13, 1982, 96 Stat. 877, 1068.

Appropriations herein, referred to in text, probably means appropriations under the headings “UNITED STATES GEOLOGICAL SURVEY”, “SURVEYS, INVESTIGATIONS, AND RESEARCH” and “ADMINISTRATIVE PROVISIONS”, of the annual Department of the Interior and Related Agencies Appropriations Act.

#### SIMILAR PROVISIONS

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

Pub. L. 108-7, div. F, title I, Feb. 20, 2003, 117 Stat. 228.

### § 37. Omitted

#### CODIFICATION

Section, act June 12, 1917, ch. 27, 40 Stat. 144, related to purchases or services for the Geological Survey, was omitted as superseded.

### § 38. Topographic surveys; marking elevations

In making topographic surveys west of the ninety-fifth meridian elevations above a base level located in each area under survey shall be determined and marked on the ground by iron or stone posts or permanent bench marks, at least two such posts or bench marks to be established in each township, or equivalent area, except in the forest-clad and mountain areas, where at least one shall be established, and these shall be placed, whenever practicable, near the township

corners of the public-land surveys; and in the areas east of the ninety-fifth meridian at least one such post or bench mark shall be similarly established in each area equivalent to the area of a township of the public land surveys.

(June 11, 1896, ch. 420, 29 Stat. 435.)

### §§ 39, 40. Omitted

#### CODIFICATION

Section 39, act Feb. 27, 1925, ch. 360, §1, 43 Stat. 1011, authorized the President to complete a general utility topographical survey of the territory of the United States within a period of twenty years from Feb. 27, 1925.

Section 40, act Feb. 27, 1925, ch. 360, §2, 43 Stat. 1011, related to cooperative agreements with States to expedite completion of topographical survey.

### § 41. Publications and reports; preparation and sale

Except as otherwise provided in section 1318 of title 44, the publications of the United States Geological Survey shall consist of geological and economic maps, illustrating the resources and classification of the lands, and reports upon general and economic geology and paleontology. All special memoirs and reports of said survey shall be issued in uniform quarto series if deemed necessary by the director, but otherwise in ordinary octavos. Three thousand copies of each shall be published for scientific exchanges and for sale at the price of publication, and all literary and cartographic materials received in exchange shall be the property of the United States and form a part of the library of the organization; and the money resulting from the sale of such publications shall be covered into the Treasury of the United States, under the direction of the Secretary of the Interior.

(Mar. 3, 1879, ch. 182, 20 Stat. 394; Aug. 7, 1946, ch. 770, §1(10), 60 Stat. 867; Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 1000.)

#### CODIFICATION

“Section 1318 of title 44” substituted in text for “section 260 of title 44” on authority of Pub. L. 90-620, §2(b), Oct. 22, 1968, 82 Stat. 1238, the first section of which enacted Title 44, Public Printing and Documents.

The words “Except as otherwise provided in section 260 of title 44” were originally inserted in text to avoid conflict with the provisions of such section 260 of title 44, as set out prior to the general revision of title 44 by Pub. L. 90-620, derived from Joint Res. May 16, 1902, No. 22.

#### AMENDMENTS

1946—Act Aug. 7, 1946, repealed all provisions requiring preparation, and transmission by Secretary of the Interior, of an annual report of operations.

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