

## AMENDMENTS

2014—Subsec. (a). Pub. L. 113-287 substituted “chapter 2003 of title 54” for “the Land and Water Conservation Fund Act (78 Stat. 897), as amended”.

1976—Pub. L. 94-384 designated existing provisions as subsec. (a), substituted “implement” for “carry out the provisions of”, “\$9,000,000” for “\$4,500,000”, and “lands, water, or interests therein” for “land”, struck out “however” after “*Provided*”, inserted provision relating to the availability of funds under the Land and Water Conservation Fund Act and provision relating to the availability of appropriations for payment of court judgments in condemnation actions regardless of the date of institution of such action, and added subsec. (b).

1961—Pub. L. 87-351 increased appropriation for purchase and condemnation of land from \$2,500,000 to \$4,500,000.

1956—Act June 22, 1956, increased appropriation for purchase and condemnation of land from \$500,000 to \$2,500,000.

## AVAILABILITY OF APPROPRIATIONS

Pub. L. 87-351 provided in part that: “Funds appropriated to carry out the purposes of the Act [sections 577c, 577d and 577e to 577h of this title] shall remain available until expended.”

**§§ 578 to 579. Omitted**

## CODIFICATION

Section 578, act June 25, 1940, ch. 421, 54 Stat. 546, which authorized rental of Forest Service equipment to other Federal agencies, was from the Department of Agriculture Appropriation Act, 1941, and was not repeated in subsequent appropriation acts. Similar provisions appeared in the Department of Agriculture Appropriation Act, 1940, approved June 30, 1939, ch. 253, title I, 53 Stat. 955.

Section 578a, acts July 1, 1941, ch. 267, 55 Stat. 422; July 22, 1942, ch. 516, 56 Stat. 679; July 12, 1943, ch. 215, 57 Stat. 411; June 28, 1944, ch. 296, 58 Stat. 443, related to rental of foreign service equipment to non-Federal agencies, and is now covered by section 580 of this title.

Section 579, act June 29, 1954, ch. 409, title I, 68 Stat. 307, which authorized the purchase of improvements in lieu of construction, was from the Department of the Interior and Related Agencies Appropriations Act, 1955, and was not repeated in subsequent appropriation acts. Similar provisions were contained in following prior appropriation acts:

July 28, 1953, ch. 251, title I, 67 Stat. 212.  
 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. 666.  
 June 29, 1949, ch. 280, title I, 63 Stat. 337.  
 June 19, 1948, ch. 543, 62 Stat. 521.  
 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. 150.  
 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. 422.  
 June 25, 1940, ch. 421, 54 Stat. 546.

**§ 579a. Operation of aerial facilities and services**

The Forest Service by contract or otherwise may provide for procurement and operation of aerial facilities and services for the protection and management of the national forests and other lands administered by it, including the furnishing, at the airbase, of facilities, equipment, materials and the preparation, mixing and loading into aircraft, with authority to renew any contract for such purpose annually, not more than twice, without additional advertising.

(Sept. 21, 1944, ch. 412, title II, §205, 58 Stat. 736; Apr. 24, 1950, ch. 97, §4, 64 Stat. 83; Pub. L. 91-435, Oct. 6, 1970, 84 Stat. 888.)

## CODIFICATION

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

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1970—Pub. L. 91-435 authorized the Forest Service to extend aerial facilities and services for the protection and management of other lands administered by the Service and to procure, at the airbase, facilities, equipment, materials and the preparation, mixing and loading into aircraft.

1950—Act Apr. 24, 1950, amended section to provide for aerial facilities and services for the protection and management of our national forests.

**§ 579b. Working capital fund; establishment; availability; transfer; capitalization; advance payments credited**

There is established a working capital fund which shall be available without fiscal year limitation for expenses necessary, including the purchase or construction of buildings and improvements within the limitations thereon set forth in the appropriations for the Forest Service, for furnishing supply and equipment services in support of programs of the Forest Service. The Secretary of Agriculture is authorized to transfer to the fund, without reimbursement, and to capitalize in the fund at fair and reasonable values, such receivables, inventories, equipment, and other assets as he may determine, and assume the liabilities in connection with such assets: *Provided*, That the fund shall be credited with advance payments in connection with firm orders and reimbursements from appropriations and funds of the Forest Service, other departmental and Federal agencies, and from other sources, as authorized by law, at rates approximately equal to the cost of furnishing the facilities and service.

(Aug. 3, 1956, ch. 950, §13, 70 Stat. 1034; Pub. L. 87-869, §10, Oct. 23, 1962, 76 Stat. 1157.)

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1962—Pub. L. 87-869 struck out the \$25,000,000 limitation on amount of capitalization in Forest Service working capital fund.

**§ 579c. Availability of funds received from forfeitures, judgments, compromises, or settlements**

Any moneys received by the United States with respect to lands under the administration of the Forest Service (1) as a result of the forfeiture of a bond or deposit by a permittee or timber purchaser for failure to complete performance of improvement, protection, or rehabilitation work required under the permit or timber sale contract or (2) as a result of a judgment, compromise, or settlement of any claim, involving present or potential damage to lands or improvements, shall be covered into the Treasury and are hereby appropriated and made available until expended to cover the cost to the United States of any improvement, protection, or rehabilitation work on lands under the administration of the Forest Service rendered necessary by the action which led to the forfeiture,

judgment, compromise, or settlement: *Provided*, That any portion of the moneys so received in excess of the amount expended in performing the work necessitated by the action which led to their receipt shall be transferred to miscellaneous receipts.

(Pub. L. 85-464, § 7, June 20, 1958, 72 Stat. 217.)

**§ 579d. Indirect expenditures; future budget justifications**

The Forest Service shall implement and adhere to the definitions of indirect expenditures established pursuant to Public Law 105-277 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 all future budget justifications, 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.

(Pub. L. 107-63, title II, Nov. 5, 2001, 115 Stat. 452.)

REFERENCES IN TEXT

Public Law 105-277, referred to in text, is Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681, known as the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999. For complete classification of this Act to the Code, see Tables.

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".

**§ 579e. Forest service budget restructure**

(a) The Secretary of Agriculture shall establish the 'Forest Service Operations' account not later than October 1, 2020, for the necessary expenses of the Forest Service: (1) for the base salary and expenses of employees in the Chief's Office, the Work Environment and Performance Office, the Business Operations Deputy Area, and the Chief Financial Officer's Office to carry out administrative and general management support functions; (2) for the costs of facility maintenance, repairs, and leases for buildings and sites; (3) for the costs of utility and communication expenses, business services, and information technology, including cybersecurity requirements; and (4) for such other administrative support function expenses necessary for the operation of the Forest Service.

(b) Subsequent to the establishment of the account under subsection (a), the Secretary of Agriculture may execute appropriations of the Department for fiscal year 2021 as provided pursuant to such subsection, including any continuing appropriations made available for fiscal year 2021 before enactment of a regular appropriations Act.

(c) Notwithstanding any other provision of law, the Secretary of Agriculture may transfer any unobligated balances made available to the Forest Service by this or prior appropriations Acts to the account established under subsection (a) to carry out such subsection, and shall notify the Committees on Appropriations of the Senate and the House of Representatives within 5 days of such transfer: *Provided*, That no amounts may be transferred from amounts that were made available for wildfire suppression operations pursuant to section 901(b)(2)(F) of title 2.

(d)(1) Not later than November 1, 2020, the Secretary of Agriculture shall establish the preliminary baseline for application of transfer authorities and submit the report specified in paragraph (2) to the Committees on Appropriations for the Senate and the House of Representatives.

(2) The report required in this subsection shall include—

(A) a delineation of the amount and account of each transfer made pursuant to subsection (b) or (c);

(B) a table for each appropriation with a separate column to display the fiscal year 2020 enacted levels, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and adjustments made pursuant to the transfer authority in subsection (b) or (c), and the resulting fiscal year level;

(C) a delineation in the table for each appropriation, adjusted as described in paragraph (2), both by budget activity and pro-