

(July 3, 1926, ch. 770, 44 Stat. 840.)

§ 563. Cooperation with States for fire protection on private or State forest lands upon the watersheds of navigable rivers

The Secretary of Agriculture is authorized, and on such conditions as he deems wise, to stipulate and agree with any State or group of States to cooperate in the organization and maintenance of a system of fire protection on any private or State forest lands within such State or States and situated upon the watershed of a navigable river. No such stipulation or agreement shall be made with any State which has not provided by law for a system of forest-fire protection. In no case shall the amount expended in any State exceed in any fiscal year the amount appropriated by that State for the same purpose during the same fiscal year.

(Mar. 1, 1911, ch. 186, § 2, 36 Stat. 961.)

Statutory Notes and Related Subsidiaries

FISCAL YEAR TRANSITION PERIOD OF JULY 1, 1976, THROUGH SEPTEMBER 30, 1976, DEEMED FISCAL YEAR FOR PURPOSES OF MATCHING REQUIREMENTS

Fiscal year transition period of July 1, 1976, through Sept. 30, 1976, deemed fiscal year for purposes of this section relating to matching requirements, see section 202(1) of Pub. L. 94-274, Apr. 21, 1976, 90 Stat. 390, set out as a note under section 2652 of Title 7, Agriculture.

§§ 564, 565. Repealed.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 564, act June 7, 1924, ch. 348, § 1, 43 Stat. 653, required cooperation between the Secretary of Agriculture and State officials as to recommendations for forest fire prevention and suppression systems.

Section 565, acts June 7, 1924, ch. 348, § 2, 43 Stat. 653; Mar. 3, 1925, ch. 447, 43 Stat. 1127; Apr. 13, 1926, ch. 119, 44 Stat. 242; Sept. 21, 1944, ch. 412, title II, § 207, 58 Stat. 736; July 25, 1947, ch. 327, § 1, 61 Stat. 449, required cooperation between the Secretary of Agriculture and State officials in fire protection of timbered and forest-producing lands.

Statutory Notes and Related Subsidiaries

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.

§ 565a. Cooperation by Secretary of Agriculture with Territories

The Secretary of Agriculture is authorized to cooperate with the Territories of the United States on the same terms and conditions as with States under sections 564 and 565¹ of this title.

(Feb. 20, 1931, ch. 249, 46 Stat. 1200.)

Editorial Notes

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.

¹ See References in Text note below.

§ 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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

FOREST SERVICE PARTNERSHIP AGREEMENTS

Pub. L. 113-76, div. G, title IV, § 426, Jan. 17, 2014, 128 Stat. 344, provided that:

“(a) AGREEMENTS AUTHORIZED.—The Secretary of Agriculture may enter into an agreement under section 1 of Public Law 94-148 (16 U.S.C. 565a-1) with a Federal, tribal, State, or local government or a nonprofit entity for the following additional purposes:

“(1) To develop, produce, publish, distribute, or sell educational and interpretive materials and products.

“(2) To develop, conduct, or sell educational and interpretive programs and services.

“(3) To construct, maintain, or improve facilities not under the jurisdiction, custody, or control of the Administrator of General Services on or in the vicinity of National Forest System lands for the sale or distribution of educational and interpretive materials, products, programs, and services.

“(4) To operate facilities (including providing the services of Forest Service employees to staff facilities) in any public or private building or on land not under the jurisdiction, custody, or control of the Administrator of General Services for the sale or distribution of educational and interpretive materials, products, programs, and services, pertaining to National Forest System lands, private lands, and lands administered by other public entities.

“(5) To sell health and safety products, visitor convenience items, or other similar items (as determined

by the Secretary) in facilities not under the jurisdiction, custody, or control of the Administrator of General Services on or in the vicinity of National Forest System lands.

“(6) To collect funds on behalf of cooperators from the sale of materials, products, programs, and services, as authorized by a preceding paragraph, when the collection of such funds is incidental to other duties of Forest Service employees.

“(b) TREATMENT OF CONTRIBUTIONS OF VOLUNTEERS.—The Forest Service may consider the value of services performed by persons who volunteer their services to the Forest Service and who are recruited, trained, and supported by a cooperator as an in-kind contribution of the cooperator for purposes of any cost sharing requirement under any Forest Service authority to enter into mutual benefit agreements.

“(c) DURATION.—The authority provided by subsections (a) and (b) expires September 30, 2019.”

[Pub. L. 116-260, div. G, title IV, § 427, Dec. 27, 2020, 134 Stat. 1542, provided that: “Section 426 of division G of Public Law 113-76 (16 U.S.C. 565a-1 note) [set out above] shall be applied by substituting ‘September 30, 2021’ for ‘September 30, 2019.’”]

[Pub. L. 116-94, div. D, title IV, § 430, Dec. 20, 2019, 133 Stat. 2749, provided that: “Section 426 of division G of Public Law 113-76 (16 U.S.C. 565a-1 note) [set out above] shall be applied by substituting ‘September 30, 2020’ for ‘September 30, 2019.’”]

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.

Statutory Notes and Related Subsidiaries

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 566¹

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 566¹ of this title: *Provided*, That whenever the programs and activities being carried out under the provisions of sections 564, 565, and 566¹ 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.

¹ See References in Text note below.