

riculture 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 program, project, and activity as detailed in the Budget Appendix; and

(D) an identification of funds directed for a specific activity.

(Pub. L. 116-94, div. D, title IV, §435, Dec. 20, 2019, 133 Stat. 2750.)

§ 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 writ-

ten 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.)

Editorial Notes

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.)

Editorial Notes

CODIFICATION

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

PRIOR PROVISIONS

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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.)

Editorial Notes

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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

AUTHORIZATION FOR LEASE OF FOREST SERVICE SITES

Pub. L. 115-334, title VIII, §8623, Dec. 20, 2018, 132 Stat. 4853, provided that:

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATIVE SITE.—

“(A) IN GENERAL.—The term ‘administrative site’ means—

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

“(ii) any Federal land that—

“(I) is associated with a facility or improvement described in clause (i) that was acquired or is used specifically for purposes of administration of Forest Service activities; and

“(II) underlies or abuts the facility or improvement; and

“(iii) for each fiscal year, not more than 10 isolated, undeveloped parcels of not more than 40 acres each.

“(B) EXCLUSIONS.—The term ‘administrative site’ does not include—

“(i) any land within a unit of the National Forest System that is exclusively designated for natural area or recreational purposes;

“(ii) any land within—

“(I) a component of the National Wilderness Preservation System;

“(II) a component of the National Wild and Scenic Rivers System; or

“(III) a National Monument; or

“(iii) any Federal land that the Secretary [of Agriculture] determines—

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

“(II) would be in the public interest not to lease.

“(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) any other administrative installation for conducting Forest Service activities.

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

“(b) AUTHORIZATION.—The Secretary may lease an administrative site that is under the jurisdiction of the Secretary in accordance with this section.

“(c) IDENTIFICATION OF ELIGIBLE SITES.—A regional forester, in consultation with forest supervisors in the region, may submit to the Secretary a recommendation for administrative sites in the region that the regional forester considers eligible for leasing under this section.

“(d) CONSULTATION WITH LOCAL GOVERNMENT AND PUBLIC NOTICE.—Before making an administrative site available for lease under this section, the Secretary shall—

“(1) consult with government officials of the community and of the State in which the administrative site is located; and

“(2) provide public notice of the proposed lease.

“(e) LEASE REQUIREMENTS.—

“(1) SIZE.—An administrative site or compound of administrative sites under a single lease under this section may not exceed 40 acres.

“(2) CONFIGURATION OF ADMINISTRATIVE SITES.—

“(A) IN GENERAL.—To facilitate the lease of an administrative site under this section, the Secretary may configure the administrative site—

“(i) to maximize the marketability of the administrative site; and

“(ii) to achieve management objectives.

“(B) SEPARATE TREATMENT OF FACILITY OR IMPROVEMENT.—A facility or improvement on an administrative site to be leased under this section may be severed from the land and leased under a separate lease under this section.

“(3) CONSIDERATION.—

“(A) IN GENERAL.—A person to which a lease of an administrative site is made under this section shall provide to the Secretary consideration described in subparagraph (B) in an amount that is not less than the market value of the administrative site, as determined in accordance with subparagraph (C).