

### Statutory Notes and Related Subsidiaries

#### AVAILABILITY OF FUNDS FOR IMPROVEMENT, PROTECTION, OR REHABILITATION OF DAMAGED PUBLIC LANDS

Pub. L. 104-134, title I, §101(c) [title I], Apr. 26, 1996, 110 Stat. 1321-156, 1321-158; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, provided in part: "That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: *Provided further*, That such moneys are in excess of amounts needed to repair damage to the exact land for which collected."

Similar provisions were contained in the following appropriation acts:

- Pub. L. 116-260, div. G, title I, Dec. 27, 2020, 134 Stat. 1479.
- Pub. L. 116-94, div. D, title I, Dec. 20, 2019, 133 Stat. 2688.
- Pub. L. 116-6, div. E, title I, Feb. 15, 2019, 133 Stat. 207.
- Pub. L. 115-141, div. G, title I, Mar. 23, 2018, 132 Stat. 637.
- Pub. L. 115-31, div. G, title I, May 5, 2017, 131 Stat. 437.
- Pub. L. 114-113, div. G, title I, Dec. 18, 2015, 129 Stat. 2527.
- Pub. L. 113-235, div. F, title I, Dec. 16, 2014, 128 Stat. 2398.
- Pub. L. 113-76, div. G, title I, Jan. 17, 2014, 128 Stat. 291.
- Pub. L. 112-74, div. E, title I, Dec. 23, 2011, 125 Stat. 987.
- Pub. L. 111-88, div. A, title I, Oct. 30, 2009, 123 Stat. 2906.
- Pub. L. 111-8, div. E, title I, Mar. 11, 2009, 123 Stat. 703.
- Pub. L. 110-161, div. F, title I, Dec. 26, 2007, 121 Stat. 2099.
- Pub. L. 109-54, title I, Aug. 2, 2005, 119 Stat. 502.
- Pub. L. 108-447, div. E, title I, Dec. 8, 2004, 118 Stat. 3042.
- Pub. L. 108-108, title I, Nov. 10, 2003, 117 Stat. 1244.
- Pub. L. 108-7, div. F, title I, Feb. 20, 2003, 117 Stat. 219.
- Pub. L. 107-63, title I, Nov. 5, 2001, 115 Stat. 418.
- Pub. L. 106-291, title I, Oct. 11, 2000, 114 Stat. 925.
- Pub. L. 106-113, div. B, §1000(a)(3) [title I], Nov. 29, 1999, 113 Stat. 1535, 1501A-138.
- Pub. L. 105-277, div. A, §101(e) [title I], Oct. 21, 1998, 112 Stat. 2681-231, 2681-234.
- Pub. L. 105-83, title I, Nov. 14, 1997, 111 Stat. 1545.
- Pub. L. 104-208, div. A, title I, §101(d) [title I], Sept. 30, 1996, 110 Stat. 3009-181, 3009-184.
- Pub. L. 103-332, title I, Sept. 30, 1994, 108 Stat. 2501.
- Pub. L. 103-138, title I, Nov. 11, 1993, 107 Stat. 1381.
- Pub. L. 102-381, title I, Oct. 5, 1992, 106 Stat. 1377.
- Pub. L. 102-154, title I, Nov. 13, 1991, 105 Stat. 992.
- Pub. L. 101-512, title I, Nov. 5, 1990, 104 Stat. 1917.
- Pub. L. 101-121, title I, Oct. 23, 1989, 103 Stat. 703.
- Pub. L. 100-446, title I, Sept. 27, 1988, 102 Stat. 1776.
- Pub. L. 100-202, §101(g) [title I], Dec. 22, 1987, 101 Stat. 1329-213, 1329-215.

### § 1736. Working capital fund

#### (a) Establishment; availability of fund

There is hereby established a working capital fund for the management of the public lands.

This fund shall be available without fiscal year limitation for expenses necessary for furnishing, in accordance with chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, and regulations promulgated thereunder, supplies and equipment services in support of Bureau programs, including but not limited to, the purchase or construction of storage facilities, equipment yards, and related improvements and the purchase, lease, or rent of motor vehicles, aircraft, heavy equipment, and fire control and other resource management equipment within the limitations set forth in appropriations made to the Secretary for the Bureau.

#### (b) Initial funding; subsequent transfers

The initial capital of the fund shall consist of appropriations made for that purpose together with the fair and reasonable value at the fund's inception of the inventories, equipment, receivables, and other assets, less the liabilities, transferred to the fund. The Secretary is authorized to make such subsequent transfers to the fund as he deems appropriate in connection with the functions to be carried on through the fund.

#### (c) Payments credited to fund; amount; advancement or reimbursement

The fund shall be credited with payments from appropriations, and funds of the Bureau, other agencies of the Department of the Interior, other Federal agencies, and other sources, as authorized by law, at rates approximately equal to the cost of furnishing the facilities, supplies, equipment, and services (including depreciation and accrued annual leave). Such payments may be made in advance in connection with firm orders, or by way of reimbursement.

#### (d) Authorization of appropriations

There is hereby authorized to be appropriated a sum not to exceed \$3,000,000 as initial capital of the working capital fund.

(Pub. L. 94-579, title III, §306, Oct. 21, 1976, 90 Stat. 2766.)

### Editorial Notes

#### CODIFICATION

In subsec. (a), "chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41" substituted for "the Federal Property and Administrative Services Act of 1949 (63 Stat. 377, as amended)" on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

### § 1736a. Revolving fund derived from disposal of salvage timber

There is hereby established in the Treasury of the United States a special fund to be derived on and after October 5, 1992, from the Federal share of moneys received from the disposal of salvage timber prepared for sale from the lands under the jurisdiction of the Bureau of Land Management, Department of the Interior. The money in this fund shall be immediately available to the Bureau of Land Management without further