

been authorized by the Secretary, no other person shall use or occupy under any grazing lease, or entry under any public land law, the land on which any such improvements are located until there has been paid to the person entitled thereto the value of such improvements as determined by the Secretary.

(Mar. 4, 1927, ch. 513, §11, 44 Stat. 1454.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 471j of Title 48, Territories and Insular Possessions.

#### § 316k. Penalties

Within one year from the date of the establishment of any district the Secretary shall give notice by publication in one or more newspapers of general circulation in each judicial division in which such district or any part thereof is located that after the date specified in such notice it shall be unlawful for any person to graze any class of livestock on lands in such district except under authority of a lease made or permission granted by the Secretary; and any person who willfully grazes livestock on such lands after such date and without such authority shall, upon conviction, be punished by a fine of not more than \$500.

(Mar. 4, 1927, ch. 513, §12, 44 Stat. 1454.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 471k of Title 48, Territories and Insular Possessions.

#### § 316l. Stock driveways and free grazing

##### (a) Establishment, maintenance and regulation

The Secretary may establish and maintain, and regulate the use of, stock driveways in districts and may charge a fee for or permit the free use of such driveways.

##### (b) Grazing of livestock free of charge

The Secretary may permit any person, including prospectors and miners, to graze free of charge a small number of livestock upon any land included within any grazing district.

##### (c) Grazing allotments to Eskimos or other native or half-breed

The Secretary may in his discretion grant a permit or lease for a grazing allotment without charge on unallotted public lands to any Eskimo or other native or half-breed. Whenever such native or half-breed grazes his livestock through cooperative agreement on allotment held by other lessee or permittee, any grazing fees charged for said allotment shall be reduced in proportion to the relative number of such native owned livestock to the total number on said allotment.

(Mar. 4, 1927, ch. 513, §13, 44 Stat. 1454.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 471l of Title 48, Territories and Insular Possessions.

#### § 316m. Hearing and appeals

(a) Any lessee of or applicant for grazing privileges, including any person described in subsection (c) of section 316l of this title, may procure a review of any action or decision of any officer or employee of the Interior Department in respect of such privileges, by filing with such officer as the Secretary of the Interior may designate of the local land office an application for a hearing, stating the nature of the action or decision complained of and the grounds of complaint. Upon the filing of any such application such officer of such land office shall proceed to review such action or decision as nearly as may be in accordance with the rules of practice then applicable to applications to contest entries under the public land law. Subject to such rules of practice, appeals may be taken by any party in interest from the decision of such officer to the Secretary.

(b) The Secretary shall take no action which will adversely affect rights under any lease pursuant to this subchapter until notifying the holder of such lease that such action is proposed and giving such holder an opportunity for a hearing.

(Mar. 4, 1927, ch. 513, §14, 44 Stat. 1454; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100; Pub. L. 90-403, §3, July 18, 1968, 82 Stat. 358.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 471m of Title 48, Territories and Insular Possessions.

##### AMENDMENTS

1968—Pub. L. 90-403 designated existing provisions as subsec. (a) and added subsec. (b).

#### Executive Documents

##### TRANSFER OF FUNCTIONS

“Secretary” substituted for “Commissioner of the General Land Office” and “such officer as the Secretary of the Interior may designate” and “such officer” substituted for “register” on authority of section 403 of Reorg. Plan No. 3 of 1946, which abolished General Land Office and Commissioner thereof and transferred functions of General Land Office to a new agency in Department of the Interior to be known as Bureau of Land Management, and functions of Commissioner of General Land Office to Secretary of the Interior. See section 403 of Reorg. Plan No. 3 of 1946, set out as a note under section 1 of this title.

#### § 316n. Administration

(a) The Secretary shall promulgate all rules and regulations necessary to the administration of this subchapter,<sup>1</sup> shall execute its provisions, and may (1) in accordance with the civil service laws appoint such employees and in accordance with chapter 51 and subchapter III of chapter 53 of title 5 fix their compensation, and (2) make such expenditures (including expenditures for personal service and rent at the seat of government and elsewhere, for law books, books of reference, periodicals, and for printing and binding)

<sup>1</sup> See References in Text note below.