

percentum” and all that follows through “shall be paid” in provisions of both acts May 23, 1908, and Mar. 1, 1911, on which this section is based, was executed by making the substitution for “twenty-five per centum of all moneys received during any fiscal year from each national forest shall be paid”, to reflect the probable intent of Congress.

1976—Pub. L. 94-588 inserted provision that beginning Oct. 1, 1976, the term “moneys received” would include all collections under the Act of June 9, 1930, and all amounts earned or allowed any purchaser of national forest timber and other forest products within such State as purchaser credits, for the construction of roads on the National Forest Transportation System within such national forests or parts thereof in connection with any Forest Service timber sales contract, and that the Secretary of Agriculture shall, from time to time as he goes through his process of developing the budget revenue estimates, make available to the States his current projections of revenues and payments estimated to be made under the Act of May 23, 1908, as amended, or any other special Acts making payments in lieu of taxes, for their use for local budget planning purposes.

1950—Act Apr. 24, 1950, struck out second proviso relating to limitation paid county.

1944—Act Sept. 21, 1944, inserted sentence relating to stumpage value of the timber.

1914—Act June 30, 1914, changed per centum to be paid to each State from five to twenty-five.

#### Statutory Notes and Related Subsidiaries

##### SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-393, §1(a), Oct. 30, 2000, 114 Stat. 1607, which provided that the Act could be cited as the “Secure Rural Schools and Community Self-Determination Act of 2000”, was repealed by Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893. See section 1 of Pub. L. 106-393, set out as a Short Title note under section 7101 of this title.

##### SAVINGS PROVISION

Provisions of Federal Land Policy and Management Act of 1976, Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743, not to be construed as affecting the distribution of livestock grazing revenues to local governments under this section, see section 701(j) of Pub. L. 94-579, set out as a note under section 1701 of Title 43, Public Lands.

##### SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION

Pub. L. 107-76, title VII, §751, Nov. 28, 2001, 115 Stat. 739, provided for the determination of the full payment amount for each eligible State and eligible county for fiscal years 2002 to 2006 under former section 102 of Pub. L. 106-393, formerly set out below.

Pub. L. 106-393, §§2, 3, Oct. 30, 2000, 114 Stat. 1608, 1609, which related to findings and purposes and provided definitions for Pub. L. 106-393, was repealed by Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893. See sections 7101 and 7102 of this title.

Pub. L. 106-393, titles I-IV, Oct. 30, 2000, 114 Stat. 1611-1623, as amended by Pub. L. 110-28, title V, §5401(c), May 25, 2007, 121 Stat. 166; Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893, provided that:

[SECS. 101 to 403. Repealed. Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893. See sections 7111 to 7153 of this title.]

“SEC. 404. CONFORMING AMENDMENTS.”

[Repealed section 13982 of Pub. L. 103-66, which was set out as a note below, and section 13983 of Pub. L. 103-66, which was set out as a note under section 1181f of Title 43, Public Lands.]

##### ADVISORY COMMITTEE ON FOREST COUNTIES PAYMENTS

Pub. L. 106-291, title III, §320, Oct. 11, 2000, 114 Stat. 990, as amended by Pub. L. 108-319, §1, Oct. 5, 2004, 118

Stat. 1212, established the Forest Counties Payments Committee to recommend methods for making payments to States and counties with Federal lands and provided for its termination on Sept. 30, 2007.

[Pub. L. 108-319, §1, Oct. 5, 2004, 118 Stat. 1212, provided that the amendment made by section 1 to section 320 of Pub. L. 106-291 was effective as of Oct. 11, 2003.]

##### SHARING OF FOREST SERVICE TIMBER SALE RECEIPTS

Pub. L. 103-66, title XIII, §13982, Aug. 10, 1993, 107 Stat. 681, as amended by Pub. L. 103-443, §1(a), Nov. 2, 1994, 108 Stat. 4631, which related to the amount of payments for each fiscal year from 1994 through 2003 that the Secretary of the Treasury was to make, in lieu of making the 25-percent payments to States, for the benefit of counties eligible to receive the 25-percent payments to States, was repealed by Pub. L. 106-393, title IV, §404, Oct. 30, 2000, 114 Stat. 1623.

##### DISTRIBUTION OF MONEYS RECEIVED FROM TIMBER SALVAGE SALES PROGRAM

Pub. L. 102-381, title II, Oct. 5, 1992, 106 Stat. 1401, provided: “That notwithstanding any other provision of law, moneys received from the timber salvage sales program in fiscal year 1993 and subsequent fiscal years shall be considered as money received for purposes of computing and distributing 25 per centum payments to local governments under 16 U.S.C. 500, as amended.”

Similar provisions were contained in the following appropriations act:

Pub. L. 103-138, title II, Nov. 11, 1993, 107 Stat. 1402.

#### §501. Expenditures from receipts for roads and trails; cooperation with State authorities; evaluation of receipts

On or after Mar. 4, 1913, ten per centum of all moneys received from the national forests during each fiscal year shall be available at the end thereof, to be expended by the Secretary of Agriculture for the construction and maintenance of roads and trails within the national forests in the States from which such proceeds are derived; but the Secretary of Agriculture may, whenever practicable, in the construction and maintenance of such roads, secure the cooperation or aid of the proper State or Territorial authorities in the furtherance of any system of highways of which such roads may be made a part. In sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products the amounts made available for schools and roads by this section shall be based upon the stumpage value of the timber.

(Mar. 4, 1913, ch. 145, §1 (part), 37 Stat. 843; Sept. 21, 1944, ch. 412, title II, §212, 58 Stat. 737.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

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. 423.

##### AMENDMENTS

1944—Act Sept. 21, 1944, inserted sentence relating to stumpage value of the timber.

#### Statutory Notes and Related Subsidiaries

##### SAVINGS PROVISION

Provisions of Federal Land Policy and Management Act of 1976, Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2743,

not to be construed as affecting the distribution of livestock grazing revenues to local governments under this section, see section 701(j) of Pub. L. 94-579, set out as a note under section 1701 of Title 43, Public Lands.

#### § 501a. Omitted

##### Editorial Notes

###### CODIFICATION

Section, acts June 30, 1939, ch. 253, title I, 53 Stat. 956; June 25, 1940, ch. 421, 54 Stat. 547, related to the evaluation of receipts for sections 500 and 501 of this title. See sections 500 and 501 of this title.

#### § 502. Rental of property for Forest Service; forage, care, and housing of animals; storage of vehicles and other equipment; pack stock; loss, damage, or destruction of horses, vehicles, and other equipment

The Secretary of Agriculture is authorized, under such regulations as he may prescribe:

(a) To hire or rent property from employees of the Forest Service for the use of that Service whenever the public interest will be promoted thereby.

(b) To provide forage, care, and housing for animals, and storage for vehicles and other equipment obtained by the Forest Service for the use of that service from employees.

(c) To contract with public and private agencies, corporations, firms, associations, or individuals to train, provide forage, care, and housing for, and to work pack stock owned and held in reserve by the Forest Service for fire emergency purposes and as all or part of the consideration therefor to permit such contractors to use the stock for their own purposes during the periods of nonuse by the Forest Service.

(d) To reimburse owners for loss, damage, or destruction of horses, vehicles, and other equipment obtained by the Forest Service for the use of that service from employees or other private owners: *Provided*, That payments or reimbursements herein authorized may be made from the applicable appropriations for the Forest Service: *And provided further*, That except for fire fighting emergencies no reimbursement herein authorized shall be made in an amount in excess of \$50 to persons who were employees of the Forest Service prior to the time the equipment was obtained or \$2,500 in any other case, unless the equipment was made available under a written agreement, contract, or lease.

(Mar. 4, 1913, ch. 145, §1 (part), 37 Stat. 843; Jan. 31, 1931, ch. 76, 46 Stat. 1052; Pub. L. 85-464, §1, June 20, 1958, 72 Stat. 216; Pub. L. 89-270, Oct. 19, 1965, 79 Stat. 991; Pub. L. 97-375, title I, §103(b), Dec. 21, 1982, 96 Stat. 1819.)

##### Editorial Notes

###### AMENDMENTS

1982—Subsec. (a). Pub. L. 97-375 struck out provision that the Secretary transmit to Congress a statement of rentals under the authority of this paragraph as soon as practicable after the end of each fiscal year.

1965—Subsec. (a). Pub. L. 89-270 required the transmittal of statement of rentals during the fiscal year to congressional committees and omitted restriction against use of hired or rented property by the employee from whom hired or rented and \$3,000 limitation on ag-

gregate amount of payment in any one year to permanent employees, exclusive of fire emergency obligations.

1958—Subsecs. (c), (d). Pub. L. 85-464 added subsec. (c), redesignated former subsec. (c) as (d) and authorized reimbursement in an amount not in excess of \$2,500 in any case where the person is not an employee of the Forest Service at the time the equipment is obtained.

1931—Act Jan. 31, 1931, substituted “The Secretary of Agriculture is authorized, under such regulations as he may prescribe” for prior provision which authorized Secretary to reimburse owners of private property lost or damaged while being used for necessary official business.

Subsecs. (a) to (c). Act Jan. 31, 1931, added subsecs. (a) to (c).

#### § 503. Repealed. Pub. L. 85-767, §2[1], Aug. 27, 1958, 72 Stat. 919

Section, act July 11, 1916, ch. 241, §8, 39 Stat. 358, related to appropriations for roads and trails, and cooperative agreements by the Secretary of Agriculture and States.

#### § 503a. Omitted

##### Editorial Notes

###### CODIFICATION

Section, acts May 16, 1928, ch. 572, 45 Stat. 569; Feb. 16, 1929, ch. 227, 45 Stat. 1220, which related to purpose for which appropriations for carrying out the provisions of section 503 of this title were available, was omitted in view of repeal of section 503 of this title.

#### § 504. Purchases of tree seeds, cones, forage plant seed, and nursery stock for national forests

The provisions of section 6101 of title 41 shall not apply to any purchase by the Forest Service of forest-tree seed or cones or of forage plant seed when the amount involved does not exceed \$10,000, nor to any purchase of forest-tree nursery stock when the amount involved does not exceed \$500, whenever, in the discretion of the Secretary of Agriculture, such method is in the public interest.

(June 30, 1914, ch. 131, 38 Stat. 429; Apr. 24, 1950, ch. 97, §2, 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.

###### AMENDMENTS

1950—Act Apr. 24, 1950, increased open market purchase limitation from \$500 to \$10,000 on forest-tree seed or cones or forage plant seed.

#### § 504a. Sale of forest-tree seed and nursery stock to States and political subdivisions; disposition of moneys; exchanges; limitation

The Secretary of Agriculture is authorized, subject to such conditions as he may prescribe, to sell forest-tree seed and nursery stock to States and political subdivisions thereof and to public agencies of other countries, at rates not less than the actual or estimated cost to the United States of procuring or producing such seed or nursery stock, moneys received from the