

the applicant to a preference right to enter, select, or locate such lands if opened to entry as herein provided.

(June 28, 1934, ch. 865, § 7, 48 Stat. 1272; June 26, 1936, ch. 842, title I, § 2, 49 Stat. 1976.)

#### Editorial Notes

##### REFERENCES IN TEXT

Act of February 25, 1920, as amended, referred to in text, is act Feb. 25, 1920, ch. 85, 41 Stat. 437, as amended, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§181 et seq.) of Title 30. For complete classification of this Act to the Code, see Short Title note set out under section 181 of Title 30 and Tables.

##### AMENDMENTS

1936—Act June 26, 1936, amended section generally.

#### §§ 315g, 315g-1. Repealed. Pub. L. 94-579, title VII, § 705(a), Oct. 21, 1976, 90 Stat. 2792

Section 315g, acts June 28, 1934, ch. 865, § 8, 48 Stat. 1272; June 26, 1936, ch. 842, title I, § 3, 49 Stat. 1976; June 19, 1948, ch. 548, § 1, 62 Stat. 533, related to acceptance of donations of grazing lands.

Section 315g-1, Pub. L. 87-524, July 9, 1962, 76 Stat. 140, authorized lands acquired under former section 315g of this title which were parts of national forests to be continued in such status.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF REPEAL

Pub. L. 94-579, title VII, § 705(a), Oct. 21, 1976, 90 Stat. 2792, provided that the repeal made by section 705(a) is effective on and after Oct. 21, 1976.

##### SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

#### § 315h. Cooperation with associations, land officials, and agencies engaged in conservation or propagation of wildlife; local hearings on appeals; acceptance and use of contributions

The Secretary of the Interior shall provide, by suitable rules and regulations, for cooperation with local associations of stockmen, State land officials, and official State agencies engaged in conservation or propagation of wildlife interested in the use of the grazing districts. The Secretary of the Interior shall provide by appropriate rules and regulations for local hearings on appeals from the decisions of the administrative officer in charge in a manner similar to the procedure in the land department. The Secretary of the Interior shall also be empowered to accept contributions toward the administration, protection, and improvement of lands within or without the exterior boundaries of a grazing district, moneys, so received to be covered into the Treasury as a special fund, which is appropriated and made available until expended, as the Secretary of the Interior may direct, for payment of expenses incident to said administration, protection, and improvement, and for refunds to depositors of amounts contributed by them in excess of their share of the cost.

(June 28, 1934, ch. 865, § 9, 48 Stat. 1273; June 19, 1948, ch. 548, § 2, 62 Stat. 533.)

#### Editorial Notes

##### AMENDMENTS

1948—Act June 19, 1948, substituted “lands within or without the external boundaries of a grazing district” for “the district” in third sentence, in order to permit acceptance of lands without boundaries of grazing district.

#### § 315i. Disposition of moneys received; availability for improvements

Except as provided in sections 315h and 315j of this title, all moneys received under the authority of this subchapter shall be deposited in the Treasury of the United States as miscellaneous receipts, but the following proportions of the moneys so received shall be distributed as follows: (a) 12½ per centum of the moneys collected as grazing fees under section 315b of this title during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the grazing districts producing such moneys are situated, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the grazing districts producing such moneys are situated: *Provided*, That if any grazing district is in more than one State or county, the distributive share to each from the proceeds of said district shall be proportional to its area in said district; (b) 50 per centum of all moneys collected under section 315m of this title<sup>1</sup> during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the lands producing such moneys are located, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the lands producing such moneys are located: *Provided*, That if any leased tract is in more than one State or county, the distributive share to each from the proceeds of said leased tract shall be proportional to its area in said leased tract.

(June 28, 1934, ch. 865, § 10, 48 Stat. 1273; June 26, 1936, ch. 842, title I, § 4, 49 Stat. 1978; Aug. 6, 1947, ch. 507, § 2, 61 Stat. 790; Pub. L. 94-579, title IV, § 401(b)(2), Oct. 21, 1976, 90 Stat. 2773.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 315m of this title, referred to in text, was in the original “said section”, referring back to section 315m cited in a preceding provision which was deleted by Pub. L. 94-579 without correction to phrase “said section”.

##### AMENDMENTS

1976—Pub. L. 94-579 in cl. (b) struck out authorization of availability of 25 per centum of all moneys collected under section 315m of this title during any fiscal year for construction, etc., of range improvements.

1947—Act Aug. 6, 1947, reduced States’ share of grazing fees collected under section 315b of this title from 50 to 12½ per centum and provided for distribution of grazing fees collected under section 315m of this title with 25 per centum available for range improvements and 50 per centum paid to the State.

1936—Act June 26, 1936, substituted “under this subchapter during any fiscal year” for “from each grazing district during any fiscal year”, wherever appearing,

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

“in which the grazing districts or lands producing such moneys are situated” for “in which said grazing district is situated” wherever appearing, and inserted in proviso “or leased tract” after “grazing district” wherever appearing.

#### Statutory Notes and Related Subsidiaries

##### SAVINGS PROVISION

Amendment by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

#### § 315j. Appropriation of moneys received; application of public-land laws to Indian ceded lands; application for mineral title to lands

When appropriated by Congress, 33 $\frac{1}{3}$  per centum of all grazing fees received from each grazing district on Indian lands ceded to the United States for disposition under the public-land laws during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which said lands are situated, to be expended as the State legislature may prescribe for the benefit of public schools and public roads of the county or counties in which such grazing lands are situated. And the remaining 66 $\frac{2}{3}$  per centum of all grazing fees received from such grazing lands shall be deposited to the credit of the Indians pending final disposition under applicable laws, treaties, or agreements. The applicable public land laws as to said Indian ceded lands within a district created under this subchapter shall continue in operation, except that each and every application for nonmineral title to said lands in a district created under this subchapter shall be allowed only if in the opinion of the Secretary of the Interior the land is of the character suited to disposal through the Act under which application is made and such entry and disposal will not affect adversely the best public interest, but no settlement or occupation of such lands shall be permitted until ninety days after allowance of an application.

(June 28, 1934, ch. 865, § 11, 48 Stat. 1273; Aug. 6, 1947, ch. 507, § 3, 61 Stat. 791.)

#### Editorial Notes

##### AMENDMENTS

1947—Act Aug. 6, 1947, provided that 33 $\frac{1}{3}$  per centum of grazing fees on certain Indian lands be paid to the States and the remaining 66 $\frac{2}{3}$  per centum of such fees be credited to the Indians.

#### § 315k. Cooperation with governmental departments; coordination of range administration

The Secretary of the Interior is authorized to cooperate with any department of the Government in carrying out the purposes of this subchapter and in the coordination of range administration, particularly where the same stock grazes part time in a grazing district and part time in a national forest or other reservation.

(June 28, 1934, ch. 865, § 12, 48 Stat. 1274.)

#### § 315l. Lands under national-forest administration

The President of the United States is authorized to reserve by proclamation and place under

national-forest administration in any State where national forests may be created or enlarged by Executive order any unappropriated public lands lying within watersheds forming a part of the national forests which, in his opinion, can best be administered in connection with existing national-forest administration units, and to place under the Interior Department administration any lands within national forests, principally valuable for grazing, which, in his opinion, can best be administered under the provisions of this subchapter: *Provided*, That such reservations or transfers shall not interfere with legal rights acquired under any public-land laws so long as such rights are legally maintained. Lands placed under the national-forest administration under the authority of this subchapter shall be subject to all the laws and regulations relating to national forests, and lands placed under the Interior Department administration shall be subject to all public-land laws and regulations applicable to grazing districts created under authority of this subchapter. Nothing in this section shall be construed so as to limit the powers of the President (relating to reorganizations in the executive departments) granted by sections 124 to 132 of title 5.<sup>1</sup>

(June 28, 1934, ch. 865, § 13, 48 Stat. 1274.)

#### Editorial Notes

##### REFERENCES IN TEXT

Sections 124 to 132 of title 5, referred to in text, was in the original “title 4 of the Act entitled ‘An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes’, approved March 3, 1933”, meaning Title IV of Part II (§§ 401-409) of the Legislative Appropriation Act, fiscal year 1933, as amended generally by section 16 of act Mar. 3, 1933, ch. 212, 47 Stat. 1517, which was classified to sections 124 to 132 of former Title 5, Executive Departments and Government Officers and Employees. Sections 124 to 131 of former Title 5 were repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632, the first section of which enacted Title 5, Government Organization and Employees, and section 132 of former Title 5 was omitted as executed pursuant to its own terms.

#### § 315m. Lease of isolated or disconnected tracts for grazing; preferences

The Secretary of the Interior is further authorized, in his discretion, where vacant, unappropriated, and unreserved lands of the public domain are so situated as not to justify their inclusion in any grazing district to be established pursuant to this subchapter, to lease any such lands for grazing purposes, upon such terms and conditions as the Secretary may prescribe: *Provided*, That preference shall be given to owners, homesteaders, lessees, or other lawful occupants of contiguous lands to the extent necessary to permit proper use of such contiguous lands, except, that when such isolated or disconnected tracts embrace seven hundred and sixty acres or less, the owners, homesteaders, lessees, or other lawful occupants of lands contiguous thereto or cornering thereon shall have a preference right to lease the whole of such tract, during a period of ninety days after such tract is offered for

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