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 66⅔ 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.)

REFERENCES IN TEXT

The public land laws, referred to in text, are classified generally to this title.

AMENDMENTS

1947—Act Aug. 6, 1947, provided that 33⅓ per centum of grazing fees on certain Indian lands be paid to the States and the remaining 66⅔ 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.)

§ 315*l*. 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.[1]

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

REFERENCES IN TEXT

The public-land laws, referred to in text, are classified generally to this title.

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 lease, upon the terms and conditions prescribed by the Secretary: *Provided further*, That when public lands are restored from a withdrawal, the Secretary may grant an appropriate preference right for a grazing lease, license, or permit to users of the land for grazing purposes under authority of the agency which had jurisdiction over the lands immediately prior to the time of their restoration.

(June 28, 1934, ch. 865, § 15, 48 Stat. 1275; June 26, 1936, ch. 842, title I, § 5, 49 Stat. 1978; May 28, 1954, ch. 243, § 1, 68 Stat. 151.)

AMENDMENTS

1954—Act May 28, 1954, inserted proviso authorizing Secretary to grant a preference right to users of withdrawn public lands for grazing purposes when lands are restored from withdrawal.

[1] See References in Text note below.

1936—Act June 26, 1936, inserted first proviso.

§ 315m–1. Lease of State, county, or privately owned lands; period of lease; rental

The Secretary of the Interior in his discretion is authorized to lease at rates to be determined by him any State, county, or privately owned lands chiefly valuable for grazing purposes and lying within the exterior boundaries of a grazing district when, in his judgment, the leasing of such lands will promote the orderly use of the district and aid in conserving the forage resources of the public lands therein: *Provided*, That no such leases shall run for a period of more than ten years and in no event shall the grazing fees paid the United States for the grazing privileges on any of the lands leased under the provisions of this section be less than the rental paid by the United States for any of such lands: *Provided further*, That nothing in this section shall be construed as authorizing the appropriation of any moneys except that moneys heretofore or hereafter appropriated for construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 315i and 315j of this title, may be made additionally available by Congress for the leasing of land under this section and sections 315m–2 to 315m–4 of this title.

(June 23, 1938, ch. 603, § 1, 52 Stat. 1033.)

CODIFICATION

Section was not enacted as a part of act June 28, 1934, known as the Taylor Grazing Act, which comprises this subchapter.

§ 315m–2. Administration of leased lands

The lands leased under sections 315m–1 to 315m–4 of this title shall be administered under the provisions of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976), commonly known as the Taylor Grazing Act.

(June 23, 1938, ch. 603, § 2, 52 Stat. 1033.)

REFERENCES IN TEXT

Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976), referred to in text, is act June 28, 1934, ch. 865, 48 Stat. 1269, as amended, known as the Taylor Grazing Act, which is classified principally to this subchapter (§ 315 et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 315 of this title and Tables.

CODIFICATION

Section was not enacted as a part of act June 28, 1934, known as the Taylor Grazing Act, which comprises this subchapter.

§ 315m–3. Availability of contributions received

Contributions received by the Secretary of the Interior under section 315h of this title, toward the administration, protection, and improvement of any district shall be additionally available for the leasing of lands under sections 315m–1 to 315m–4 of this title.

(June 23, 1938, ch. 603, § 3, 52 Stat. 1033.)

CODIFICATION

Section was not enacted as a part of act June 28, 1934, known as the Taylor Grazing Act, which comprises this subchapter.

§ 315m–4. Disposition of receipts; availability for leasing of land

All moneys received by the Secretary of the Interior in the administration of leased lands as provided in section 315m–2 of this title shall be deposited in the Treasury of the United States as miscellaneous receipts, but are made available, when appropriated by the Congress, for the leasing of lands under sections 315m–1 to 315m–4 of this title and shall not be distributed as provided under sections 315i and 315j of this title.

(June 23, 1938, ch. 603, § 4, 52 Stat. 1033.)

CODIFICATION

Section was not enacted as a part of act June 28, 1934, known as the Taylor Grazing Act, which comprises this subchapter.

§ 315n. State police power not abridged

Nothing in this subchapter shall be construed as restricting the respective States from enforcing any and all statutes enacted for police regulation, nor shall the police power of the respective States be, by this subchapter, impaired or restricted, and all laws heretofore enacted by the respective States or any thereof, or that may hereafter be enacted as regards public health or public welfare, shall at all times be in full force and effect: *Provided, however*, That nothing in this section shall be construed as limiting or restricting the power and authority of the United States.

(June 28, 1934, ch. 865, § 16, 48 Stat. 1275.)

§ 315*o*. Repealed. Pub. L. 89–554, § 8(a), Sept. 6, 1966, 80 Stat. 649

Section, act June 28, 1934, ch. 865, § 17, as added June 26, 1936, ch. 842, § 6, 49 Stat. 1978, authorized the President to select a Director of Grazing and the Secretary of the Interior to appoint assistant directors and employees.

§ 315*o*–1. Board of grazing district advisers; composition; meetings; duties

(a) In order that the Secretary of the Interior may have the benefit of the fullest information and advice concerning physical, economic, and other local conditions in the several grazing districts, there shall be an advisory board of local stockmen in each such district, the members of which shall be known as grazing district advisers. Each such board shall consist of not less than five nor more than twelve members, exclusive of wildlife representatives, one such representative to be appointed by the Secretary, in his discretion, to membership on each such board. Except for such wildlife representatives, the names of the members of each district advisory board shall be recommended to the Secretary by the users of the range in that district through an election conducted under rules and regulations prescribed by the Secretary. No grazing district adviser so recommended, however, shall assume office until he has been appointed by the Secretary and has taken an oath of office. The Secretary may, after due notice, remove any grazing district adviser from office if in his opinion such removal would be for the good of the service.