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[1] 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.)

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, ''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.

[1] See References in Text note below.

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, 33⅓ 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 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.)

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

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.)

[1] See References in Text note below.

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.

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.