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[CITE: 16USC565a-1]

TITLE 16--CONSERVATION

CHAPTER 3--FORESTS; FOREST SERVICE; REFORESTATION; MANAGEMENT

SUBCHAPTER I--GENERAL PROVISIONS

Sec. 565a-1. Cooperative agreements between Secretary of Agriculture and public or private agencies, organizations, institutions, and persons covering Forest Service programs; authority; funding

To facilitate the administration of the programs and activities of the Forest Service, the Secretary is authorized to negotiate and enter into cooperative agreements with public or private agencies, organizations, institutions, or persons to construct, operate, and maintain cooperative pollution abatement equipment and facilities, including sanitary landfills, water systems, and sewer systems; to engage in cooperative manpower and job training and development programs; to develop and publish cooperative environmental education and forest history materials; and to perform forestry protection, including fire protection, timber stand improvement, debris removal, and thinning of trees. The Secretary may enter into aforesaid agreements when he determines that the public interest will be benefited and that there exists a mutual interest other than monetary considerations. In such cooperative arrangements, the Secretary is authorized to advance or reimburse funds to cooperators from any Forest Service appropriation available for similar kinds of work or by furnishing or sharing materials, supplies, facilities, or equipment without regard to the provisions of section 3324(a) and (b) of title 31, relating to the advance of public moneys.

(Pub. L. 94-148, Sec. 1, Dec. 12, 1975, 89 Stat. 804.)

Codification

``Section 3324(a) and (b) of title 31'' substituted in text for ``the Act of January 31, 1823 (Rev. Stat. 3648, as amended; 31 U.S.C. 529)'' on authority of Pub. L. 97-258, Sec. 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

Mutual Benefit of Agreements to Forest Service and Other Parties

Pub. L. 108-7, div. F, title III, Sec. 321, Feb. 20, 2003, 117 Stat. 274, as amended by Pub. L. 109-54, title IV, Sec. 426, Aug. 2, 2005, 119 Stat. 555, provided that: ``Until September 30, 2007, the authority of the Secretary of Agriculture to enter into an agreement under the first section of Public Law 94-148 (16 U.S.C. 565a-1) for a purpose described in such section includes the authority to use that legal instrument when the principal purpose of the resulting relationship is to the mutually significant benefit of the Forest Service and the other party or parties to the agreement, including nonprofit entities. An agreement entered into under this section shall not be subject to Public Law 95-224, Federal Grant and Cooperative Agreement Act (1977) [see section 6301 et seq. of Title 31, Money and Finance].''

Similar provisions were contained in the following prior appropriation act:

Pub. L. 107-63, title III, Sec. 328, Nov. 5, 2001, 115 Stat. 470.

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SUBCHAPTER I--GENERAL PROVISIONS

Sec. 565a-2. Federal employee status of cooperators

In any agreement authorized by section 565a-1 of this title, cooperators and their employees may perform cooperative work under supervision of the Forest Service in emergencies or otherwise as mutually agreed to, but shall not be deemed to be Federal employees other than for the purposes of chapter 171 of title 28 and chapter 81 of title 5.

(Pub. L. 94-148, Sec. 2, Dec. 12, 1975, 89 Stat. 804.)

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TITLE 16--CONSERVATION

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SUBCHAPTER I--GENERAL PROVISIONS

Sec. 565a-3. Agreements otherwise authorized by law

Nothing in sections 565a-1 to 565a-3 of this title shall be construed as limiting or modifying the authority of the Secretary to enter into cooperative agreements otherwise authorized by law.

(Pub. L. 94-148, Sec. 3, Dec. 12, 1975, 89 Stat. 804.)