



13. THE ACT OF JUNE 7, 1924

(POPULARLY KNOWN AS THE CLARKE-McNARY ACT)

[As Amended through the end of the First Session of the 108th
Congress (Public Law 108-198, Dec. 31, 2003)]



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December 31, 2003

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(POPULARLY KNOWN AS THE CLARKE-McNARY ACT)

CHAP. 348. AN ACT To provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor

[Sections 1–4 repealed by Public Law 95–313, sec. 13(a)(1), 92 Stat. 374]

SEC. 5. [16 U.S.C. 568] The Secretary of Agriculture is hereby authorized and directed, in cooperation with the land grant colleges and universities of the various States or, in his discretion, with other suitable State agencies, to aid farmers through advice, education, demonstrations, and other similar means in establishing, renewing, protecting, and managing wood lots, shelter belts, windbreakers, and other valuable forest growth, and in harvesting [,] utilizing, and marketing the products thereof. Except for preliminary investigations, the amount expended by the Federal Government under this section in cooperation with any State or other cooperating agency during any fiscal year shall not exceed the amount expended by the State or other cooperating agency for the same purpose during the same fiscal year, and the Secretary of Agriculture is authorized to make expenditures on the certificate of the appropriate State official that the State expenditures, as provided for in this section, have been made. There is hereby authorized to be appropriated annually out of any money in the Treasury not otherwise appropriated, not more than \$500,000 to enable the Secretary of Agriculture to carry out the provisions of this section.

SEC. 6. [Omitted-Amendment]

SEC. 7. [16 U.S.C. 569] That to enable owners of lands chiefly valuable for the growing of timber crops to donate or devise such lands to the United States in order to assure future timber supplies for the agricultural and other industries of the State or for other national forest purposes, the Secretary of Agriculture is hereby authorized, in his discretion, to accept on behalf of the United States title to any such land so donated or devised, subject to such reservations by the donor of the present stand of merchantable timber or of mineral or other rights for a period not exceeding twenty years as the Secretary of Agriculture may find to be reasonable and not detrimental to the purposes of this section, and to pay out of any moneys appropriated for the general expenses of the Forest Service the cost of recording deeds or other expenses incident to the examination and acceptance of title. Any lands to which title is so

accepted shall be in units of such size or so located as to be capable of economical administration as national forests either separately or jointly with other lands acquired under this section, or jointly with an existing national forest. All lands to which title is accepted under this section shall, upon acceptance of title, become national forest lands, subject to all laws applicable to lands acquired under the Act of March 1, 1911 (Thirty-sixth Statutes at Large, page 961), and amendments thereto. In the sale of timber from national forest lands acquired under the section preference shall be given to applicants who will furnish the products desired therefrom to meet the necessities of citizens of the United States engaged in agriculture in the States in which such national forest is situated: *Provided*, That all property, rights, easements, and benefits authorized by this section to be retained by or reserved to owners of lands donated or devised to the United States shall be subject to the tax laws of the States where such lands are located.

SEC. 8. [16 U.S.C. 570] That the Secretary of Agriculture is hereby authorized to ascertain and determine the location of public lands chiefly valuable for stream-flow protection or for timber production, which can be economically administered as parts of national forests, and to report his findings to the National Forest Reservation Commission established under the Act of March 1, 1911 (Thirty-sixth Statutes at Large, page 961), and if the commission shall determine that the administration of said lands by the Federal Government will protect the flow of streams used for navigation or for irrigation, or will promote a future timber supply, the President shall lay the findings of the commission before the Congress of the United States.

[Section 9 was repealed by section 704(a) of Public Law 94-579 (90 Stat. 2792). However, the Law Revision Counsel continues to include certain sentences of section 9 in the United States Code since the repealer dealt with the implied authority of the President to make withdrawals resulting from the acquiescence of Congress, which was contained in the first and fifth sentences of section 9 of the 1924 Act. The fourth sentence of section 9 is included in 16 U.S.C. 499.]