§ 499. Disposal of money received by or on account of Forest Service; refund of excess and moneys erroneously collected; receipts from permits

All money received by or on account of the Forest Service for timber, or from any other source of national-forest revenue, including moneys received from sale of products from or for the use of lands in national forests created under section 471 (b)\(^1\) of this title, and moneys received on account of permits for hunting, fishing, or camping on lands acquired under authority of sections 513 to 517 and 521 of this title, shall be covered into the Treasury of the United States as a miscellaneous receipt and there is hereby appropriated and made available as the Secretary of Agriculture may direct out of any funds in the Treasury not otherwise appropriated, so much as may be necessary to make refunds to depositors of money heretofore or hereafter deposited by them to secure the purchase price on the sale of any products or for the use of any land or resources of the national forests in excess of amounts found actually due from them to the United States and also so much as may be necessary to refund or pay over to the rightful claimants such sums as may be found by the Secretary of Agriculture to have been erroneously collected for the use of any lands, or for timber or other resources sold from lands located within, but not a part of, the national forests, or for alleged illegal acts done upon such lands, which acts are subsequently found to have been proper and legal.

Footnotes

\(^1\) See References in Text note below.


References in Text

Section 471 (b) of this title, referred to in text, was repealed by section 704(a) of Pub. L. 94–579, title VII, Oct. 21, 1976, 90 Stat. 2792. For further details, see Codification note below.

Codification

Section is a combination provision the basis for which is Act Mar. 4, 1907, which superseded previous provisions relating to the disposal of money received from sale of products or use of any land or resources of the forest reserves, contained in Act Feb. 1, 1905, ch. 288, § 5, 33 Stat. 628.

Act Mar. 4, 1911, is the source of the last portion of the section beginning with the words, “and also so much as may be necessary,” etc. That Act provides that so much of the former Act “which provides for refunds by the Secretary of Agriculture to depositors of moneys to secure the purchase price of timber or the use of lands or resources of the national forests such sums as may be found to be in excess of the amounts found actually due the United States, be, and is hereby, amended hereafter to appropriate and to include so much;”.

The words of this section reading, “including moneys received from sale of products from or use of lands in national forests created under section 471 (b) of this title” were derived from the fourth sentence of section 9 of Act of June 7, 1924, which reads as follows: “All receipts from the sale of products from or for the use of lands in such national forests shall be covered into the Treasury as miscellaneous receipts, forest reserve fund, and shall be disposed of in like manner as the receipts from other national forests as provided by existing law.” Section 471 (b) of this title, referred to in text, was based on the first and fifth sentences of section 9 of the 1924 act, and was repealed by section 704(a) of Pub. L. 94–579. Section 505 of this title is based on the second and third sentences of section 9 of the 1924 act.

The words “and moneys received on account of permits for hunting, fishing, or camping on lands acquired under authority of sections 513 to 517 and 521 of this title,” are from a provision of Act Mar. 4, 1917, which reads, “Hereafter, all moneys received on account of permits for hunting, fishing, or camping, on lands acquired under authority of said Act [Act Mar. 1, 1911, ch. 186, 36 Stat. 961] or any Amendment or extension thereof, shall be disposed of as is provided by existing law for the disposition of receipts from national forests.”
Amendments

1928—Act May 29, 1928, struck out provision which required the Secretary of Agriculture to make an annual report to Congress of the amounts refunded under this section.