36 CFR 254.1 - Scope and applicability

(h) The Federal Land Policy and Management Act of 1976, as amended ([43 U.S.C. 1701](https://www.law.cornell.edu/uscode/text/43/1701)), is supplemental to all applicable exchange laws, except the cash equalization provisions of the Sisk Act of December 4, 1967, as amended ([16 U.S.C. 484a](https://www.law.cornell.edu/uscode/text/16/484a)).

16 U.S. Code Chapter 2 - NATIONAL FORESTS

16 U.S. Code Subchapter I - ESTABLISHMENT AND ADMINISTRATION

16 U.S. Code § 484a - Exchange of lands in national forests; public schools; deposit of funds by school authority with insufficient exchange land; limitations on use

Whenever an exchange of land is proposed by a State, county, or municipal government or public school district or other public school authority under sections [485](https://www.law.cornell.edu/uscode/text/16/485) and [486](https://www.law.cornell.edu/uscode/text/16/486) of this title or other authority under which the Secretary of Agriculture is authorized to exchange national forest lands or other lands administered by the Forest Service, if the State, county, or municipal government or public school authority proposing the exchange has insufficient land to offer, the exchange may be completed upon deposit with the Secretary of Agriculture of a portion or all of the value of the selected land. Any amount so deposited shall be covered into a special fund in the Treasury which when appropriated shall be available until expended by the Secretary of Agriculture for the acquisition of lands in the same State as the selected lands and which are determined by him to be suitable for the same purposes as the selected lands. Lands so acquired shall have the same status and shall be subject to the same laws, regulations, and rules as the selected lands.

The provisions of this section shall not be applicable to the conveyance in exchange of more than eighty acres to any one State, county, or municipal government or public school district or other public school authority. Lands may be conveyed to any State, county, or municipal government pursuant to this section only if the lands were being utilized by such entities on January 12, 1983. Lands so conveyed may be used only for the purposes for which they were being used prior to conveyance.

([Pub. L. 90–171](http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=PLAW), Dec. 4, 1967, [81 Stat. 531](http://uscode.house.gov/statviewer.htm?volume=81&page=531); [Pub. L. 97–465, § 8](http://thomas.loc.gov/cgi-bin/bdquery/L?d097:./list/bd/d097pl.lst:465(Public_Laws)), Jan. 12, 1983, [96 Stat. 2536](http://uscode.house.gov/statviewer.htm?volume=96&page=2536).)

##### Acquisition of Lands to Complete Land Exchanges

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to [Land Sale and Exchange Acts](https://en.wikisource.org/w/index.php?title=Land_Sale_and_Exchange_Act&action=edit&redlink=1), pursuant to the [Act of December 4, 1967](https://en.wikisource.org/w/index.php?title=Act_of_December_4,_1967&action=edit&redlink=1), as amended (16 U.S.C. 484a), to remain available until expended (16 U.S.C. 460l–516–617a, 555a; [Public Law 96-586](https://en.wikisource.org/w/index.php?title=Public_Law_96-586&action=edit&redlink=1); [Public Law 76-589](https://en.wikisource.org/w/index.php?title=Public_Law_76-589&action=edit&redlink=1), [76-591](https://en.wikisource.org/w/index.php?title=Public_Law_76-591&action=edit&redlink=1); and [Public Law 78–310](https://en.wikisource.org/w/index.php?title=Public_Law_78%E2%80%93310&action=edit&redlink=1)).

16 U.S.C. § 516 : US Code - Section 516: Exchange of lands in the public interest; equal value; cutting and removing timber; publication of contemplated exchange

When the public interests will be benefited thereby, the

Secretary of Agriculture is hereby authorized, in his discretion,

to accept on behalf of the United States title to any lands within

the exterior boundaries of national forests which, in his opinion,

are chiefly valuable for the purposes of this Act, and in exchange

therefor to convey by deed not to exceed an equal value of such

national forest land in the same State, or he may authorize the

grantor to cut and remove an equal value of timber within such

national forests in the same State, the values in each case to be

determined by him: Provided, That before any such exchange is

effected notice of the contemplated exchange reciting the lands

involved shall be published once each week for four successive

weeks in some newspaper of general circulation in the county or

counties in which may be situated the lands to be accepted, and in

some like newspaper published in any county in which may be

situated any lands or timber to be given in such exchange. Timber

given in such exchanges shall be cut and removed under the laws and

regulations relating to such national forests, and under the

direction and supervision and in accordance with the requirements

of the Secretary of Agriculture. Lands so accepted by the Secretary

of Agriculture shall, upon acceptance, become parts of the national

forests within whose exterior boundaries they are located, and be

subjected to all provisions of this Act.

(Mar. 1, 1911, ch. 186, Sec. 7, 36 Stat. 962; Mar. 3, 1925, ch. 473, 43 Stat. 1215; Pub. L. 94-588, Sec. 17(a)(4), Oct. 22, 1976, 90 Stat. 2961.)

16 U.S.C. § 521d : US Code - Section 521D: Sale, exchange, or interchange of National Forest System land

The Secretary is authorized, when the Secretary determines it to be in the public interest - (1) to sell, exchange, or interchange by quitclaim deed, all right, title, and interest, including the mineral estate, of the United States in and to National Forest System lands described in section 521e of this title; and (2) to accept as consideration for the lands sold, exchanged, or interchanged other lands, interests in lands, or cash payment, or any combination of such forms of consideration, which, in the case of conveyance by sale or exchange, is at least equal in value, including the mineral estate, or, in the case of conveyance by interchange, is of approximately equal value, including the mineral estate, to the lands being conveyed by the Secretary. The Secretary shall insert in any such quitclaim deed such terms, convenants,(!1) conditions, and reservations as the Secretary deems necessary to ensure protection of the public interest, including protection of the scenic, wildlife, and recreation values of the National Forest System and provision for appropriate public access to and use of lands within the System. The preceding sentence shall not be applicable to deeds issued by the Secretary to lands outside the boundary of units of the National Forest System.