Appropriation authorized; reimbursable.

SEC. 2. There is hereby authorized to be appropriated from the reclamation fund the sum of $5,000 or so much thereof as may be necessary to carry out the provisions of section 1 of this Act, the amounts expended from such appropriations to be reimbursable under the reclamation law.

Approved, June 26, 1936.

[CHAPTER 842.]

An Act

To amend the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 1 of the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934, is amended by striking out the words "eighty million" and inserting in lieu thereof the words "one hundred and forty-two million".

SEC. 2. Section 7 of such Act is amended to read as follows:

"SEC. 7. That the Secretary of the Interior is hereby authorized, in his discretion, to examine and classify any lands withdrawn or reserved by Executive order of November 26, 1934 (numbered 6910), and amendments thereto, and Executive order of February 5, 1935 (numbered 6964), or within a grazing district, which are more valuable or suitable for the production of agricultural crops than for the production of native grasses and forage plants, or more valuable or suitable for any other use than for the use provided for under this Act, or proper for acquisition in satisfaction of any outstanding lien, exchange or script rights or land grant, and to open such lands to entry, selection, or location for disposal in accordance with such classification under applicable public-land laws, except that homestead entries shall not be allowed for tracts exceeding three hundred and twenty acres in area. Such lands shall not be subject to disposition, settlement, or occupation until after the same have been classified and opened to entry: Provided, That locations and entries under the mining laws, including the Act of February 25, 1920, as amended, may be made upon such withdrawn and reserved areas without regard to classification and without restrictions or limitation by any provision of this Act. Where such lands are located within grazing districts reasonable notice shall be given by the Secretary of the Interior to any grazing permittee of such lands. The applicant, after his entry, selection, or location is allowed, shall be entitled to a preference right to enter, select, or locate such lands if opened to entry as herein provided."

SEC. 3. Section 8 of such Act is amended to read as follows:

"SEC. 8. (a) That where such action will promote the purposes of the district or facilitate its administration, the Secretary is authorized, for the purpose of this Act only, to accept on behalf of the United States any lands within the exterior boundaries of a grazing district as a gift."
“(b) When public interests will be benefited thereby the Secretary is authorized to accept on behalf of the United States title to any privately owned lands within or without the boundaries of a grazing district, and in exchange therefor to issue patent for not to exceed an equal value of surveyed grazing district land or of unreserved surveyed public land in the same State or within a distance of not more than fifty miles within the adjoining State nearest the base lands.

“(c) Upon application of any State to exchange lands within or without the boundaries of a grazing district the Secretary of the Interior shall, and is hereby, directed to proceed with such exchange at the earliest practicable date and to cooperate fully with the State to that end, but no State shall be permitted to select lieu lands in another State. The Secretary of the Interior shall accept on behalf of the United States title to any State-owned lands within or without the boundaries of a grazing district, and in exchange therefor issue patent to surveyed grazing district land not otherwise reserved or appropriated or unappropriated and unreserved surveyed public land; and in making such exchange the Secretary is authorized to patent to such State, land either of equal value or of equal acreage: Provided, That no State shall select public lands in a grazing district in furtherance of any exchange unless the lands offered by the State in such exchange lie within such grazing district and the selected lands lie in a reasonably compact body which is so located as not to interfere with the administration or value of the remaining land in such district for grazing purposes as set forth in this Act.

“When an exchange is based on lands of equal acreage and the selected lands are mineral in character, the patent therefor shall contain a reservation of all minerals to the United States; and in making exchanges of equal acreage the Secretary of the Interior is authorized to accept title to offered lands which are mineral in character, with a mineral reservation to the State.

“For the purpose of effecting exchanges based on lands of equal acreage the identification and area of unsurveyed school sections may be determined by protraction or otherwise. The selection by the State of lands in lieu of any such protracted school sections shall be a waiver of all of its right to such sections.

“(d) Before any such exchange under this section shall be effected, notice of the contemplated exchange, describing the lands involved, shall be published by the Secretary of the Interior 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 the same manner in some like newspaper published in any county in which may be situated any lands to be given in such exchange; lands conveyed to the United States under this Act shall, upon acceptance of title, become public lands, and if located within the exterior boundaries of a grazing district they shall become a part of the district within the boundaries of which they are located: Provided, That either party to an exchange based upon equal value under this section may make reservations of minerals, easements, or rights of use. Where reservations are made in lands conveyed either to or by the United States the right to enjoy them shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary. Where mineral reservations are made by the grantor in lands conveyed by the United States, it shall be so stipulated in the patent, and any person who prospects for or acquires the right to mine and remove the reserved mineral deposits may enter and occupy so much
of the surface as may be required for all purposes incident to the
prospecting for, mining and removal of the minerals therefrom, and
may mine and remove such minerals, upon payment to the owner of
the surface for damages caused to the land and improvements
thereon. No fee shall be charged for any exchange of land made
under this Act except one-half of the cost of publishing notice of a
proposed exchange as herein provided."

Sec. 4. Section 10 of such Act is amended to read as follows:

"Sec. 10. That, except as provided in sections 9 and 11 hereof, all
moneys received under the authority of this Act shall be deposited
in the Treasury of the United States as miscellaneous receipts, but
25 per centum of all moneys received under this Act during any fiscal
year is hereby made available, when appropriated by the Congress,
for expenditure by the Secretary of the Interior for the construc-
tion, purchase, or maintenance of range improvements, and 50 per
centum of the money received under this Act 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 or the lands 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 or the lands producing such moneys
are situated: Provided, That if any grazing district or any leased
tract is in more than one State or county, the distributive share to
each from the proceeds of said district or leased tract shall be pro-
portional to its area in said district or leased tract."

Sec. 5. Section 15 of such Act is amended to read as follows:

"Sec. 15. 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
Act, 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."

Sec. 6. Such Act is further amended by adding the following
new section:

"Sec. 17. The President shall have power, with the advice and
consent of the Senate, to select a Director of Grazing. The Secre-
tary of the Interior may appoint such Assistant Directors and such
other employees as shall be necessary to administer this Act. The
Civil Service Commission shall give consideration to the practical
range experience in public-land States of the persons found eligible
for appointment by the Secretary as Assistant Directors or graziers.
No Director of Grazing, Assistant Director, or grazier shall be
appointed who at the time of appointment or selection has not been
for one year a bona-fide citizen or resident of the State or of one of
the States in which such Director, Assistant Director, or grazier is
to serve."
TITLE II—BADLANDS NATIONAL MONUMENT

SECTION 1. The boundaries of the Badlands National Monument, as established by the Act of March 4, 1929 (45 Stat. 1553), shall be, and are hereby, extended to include such lands adjacent or contiguous thereto, in the State of South Dakota, including, but not being restricted to, lands designated as submarginal by the Resettlement Administration, as may be determined by the President, by proclamation, within five years following the approval of this Act, to be necessary for the proper rounding out of the boundaries of said Monument or the administration thereof, providing the entire area of such Monument shall not exceed 250,000 acres.

SEC. 2. That the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service and for other purposes", as amended, are hereby made applicable to and extended over such lands as may be added to the Monument under the authority of the foregoing section.

Approved, June 26, 1936.

[CHAPTER 843.]

AN ACT

Increasing the penalty for making false oaths for the purpose of bathing at the Government free bathhouse at Hot Springs, Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act limiting the privileges of the Government free bathhouse on the public reservation at Hot Springs, Arkansas, to persons who are without and unable to obtain the means to pay for baths", approved March 2, 1911 (U. S. C., 1934 edition, title 16, sec. 371), is hereby amended to read as follows:

"That only persons who are without and unable to obtain the means to pay for baths and are suffering from ailments for which bathing in the water of the Hot Springs Reservation will afford relief or effect a cure shall be permitted to bathe at the free bathhouse on the public reservation at Hot Springs, Arkansas, and before any person shall be permitted to bathe at the free bathhouse on the reservation he shall be required to make oath, before such officer duly authorized to administer oaths for general purposes as the superintendent of the Hot Springs Reservation shall designate, that he is without and unable to obtain the means to pay for baths, and any person desiring to bathe at the free bathhouse on the Hot Springs Reservation making a false oath as to his financial condition shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than $25 nor more than $300 and be imprisoned for not more than sixty days."

Approved, June 26, 1936.

[CHAPTER 844.]

AN ACT

To extend the boundaries of the Fort Pulaski National Monument, Georgia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundaries of the Fort Pulaski National Monument on Cockspur Island, Georgia, be, and they are hereby, extended to include all of the lands on said island now or formerly under the jurisdiction of the Secretary of War.