

EFFECTIVE DATE OF 1978 AMENDMENT

Section 2 of Pub. L. 95-289 provided that: "The amendment made by this Act to the Volunteers in the National Forests Act of 1972 [amending this section] shall become effective October 1, 1978."

§ 559. Arrests by employees of Forest Service for violations of laws and regulations

All persons employed in the Forest Service of the United States shall have authority to make arrests for the violation of the laws and regulations relating to the national forests, and any person so arrested shall be taken before the nearest United States magistrate judge, within whose jurisdiction the forest is located, for trial; and upon sworn information by any competent person any United States magistrate judge in the proper jurisdiction shall issue process for the arrest of any person charged with the violation of said laws and regulations; but nothing herein contained shall be construed as preventing the arrest by any officer of the United States, without process, of any person taken in the act of violating said laws and regulations.

(Mar. 3, 1905, ch. 1405, 33 Stat. 873; Pub. L. 90-578, title IV, §402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 91-383, §10(a)(2), Aug. 18, 1970, as added Pub. L. 94-458, §2, Oct. 7, 1976, 90 Stat. 1941; Pub. L. 101-650, title III, §321, Dec. 1, 1990, 104 Stat. 5117.)

CODIFICATION

"Forest Service of the United States" substituted for "forest reserve of the United States" as the probable intent of Congress in that the federal forest reserves were transferred from Department of the Interior to Department of Agriculture by act Feb. 1, 1905, ch. 288, §1, 33 Stat. 628, and administration of forest reserves was placed in Forest Service which was created by that act.

Words "national forests" and "forest" substituted for "forest reserves" and "reservation", respectively, on authority of act Mar. 4, 1907, ch. 2907, 34 Stat. 1269, which provided that forest reserves shall hereafter be known as national forests.

That part of act Mar. 3, 1905, which related to arrests by employees of the National Park Service for violations of laws and regulations, was (prior to the amendment made by Pub. L. 94-458) classified to section 10 of this title.

AMENDMENTS

1976—Pub. L. 91-383, §10(a)(2), as added Pub. L. 94-458, struck out "and national parks" after "national forests" and "or national park" after "jurisdiction the forest".

CHANGE OF NAME

"United States magistrate judge" substituted for "United States magistrate" wherever appearing in text pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure. Previously, "United States magistrate" substituted for "United States commissioner" pursuant to Pub. L. 90-578. See chapter 43 (§631 et seq.) of Title 28.

§ 559a. Reward for information leading to arrest and conviction for violating laws and regulations

The Secretary of Agriculture may pay rewards from appropriations available for the protection and management of the national forests, under

such regulations as he may prescribe, for information leading to the arrest and conviction for violation of the laws and regulations relating to fires in or near national forests, or for the unlawful taking of, or injury to, Government property.

(Sept. 21, 1944, ch. 412, title II, §201, 58 Stat. 736.)

CODIFICATION

Section was enacted as a part of the Department of Agriculture Organic Act of 1944.

§ 559b. Prevention of manufacture, etc., of marijuana and other controlled substances

(a) Purpose

The purpose of sections 559b to 559f of this title is to authorize the Secretary of Agriculture (hereinafter in sections 559b to 559f of this title referred to as the "Secretary") to take actions necessary, in connection with the administration and use of the National Forest System, to prevent the manufacture, distribution, or dispensing of marijuana and other controlled substances.

(b) Law enforcement authority

Nothing in sections 559b to 559f of this title shall diminish in any way the law enforcement authority of the Forest Service.

(c) Definitions

As used in sections 559b to 559f of this title, the terms "manufacture", "dispense", and "distribute" shall have the same meaning given such terms in section 802 of title 21.

(Pub. L. 99-570, title XV, §15002, Oct. 27, 1986, 100 Stat. 3207-191.)

REFERENCES IN TEXT

Sections 559b to 559f of this title, referred to in text, was in the original "this title", meaning title XV of Pub. L. 99-570, Oct. 27, 1986, 100 Stat. 3207-191, known as the National Forest System Drug Control Act of 1986, which enacted sections 559b to 559f of this title, amended section 841 of Title 21, Food and Drugs, and enacted provisions set out as a note below. For complete classification of title XV to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Section 15001 of title XV of Pub. L. 99-570 provided that: "This title [enacting this section and sections 559c to 559f of this title and amending section 841 of Title 21, Food and Drugs] may be cited as the 'National Forest System Drug Control Act of 1986'."

NATIONAL FOREST SYSTEM, NATIONAL PARK SYSTEM, AND BUREAU OF LAND MANAGEMENT PUBLIC LANDS SAFETY; FINDINGS

Pub. L. 100-690, title VI, §6254(a), Nov. 18, 1988, 102 Stat. 4363, provided that: "Congress finds that—

"(1) National Forest System lands continue to be a haven for the unlawful production of marijuana and other controlled substances, which—

"(A) endangers the public in its use of National Forest System lands;

"(B) interferes with the ability of the Forest Service to effectively manage the natural resources and activities within the National Forest System; and

"(C) causes damage and destruction of the natural resources and facilities managed by the Forest Service;

"(2) the unlawful production of marijuana and other controlled substances often—