

natural resources management plan” for “a cooperative plan”.

1974—Pub. L. 93-452, §3(3), substituted “title” for “Act” which for purposes of codification was translated as “subchapter”.

§ 670c. Program for public outdoor recreation

(a) Program authorized

The Secretary of Defense is also authorized to carry out a program for the development, enhancement, operation, and maintenance of public outdoor recreation resources at military installations in accordance with an integrated natural resources management plan mutually agreed upon by the Secretary of Defense and the Secretary of the Interior, in consultation with the appropriate State agency designated by the State in which the installations are located.

(b) Access for disabled veterans, military dependents with disabilities, and other persons with disabilities

(1) In developing facilities and conducting programs for public outdoor recreation at military installations, consistent with the primary military mission of the installations, the Secretary of Defense shall ensure, to the extent reasonably practicable, that outdoor recreation opportunities (including fishing, hunting, trapping, wildlife viewing, boating, and camping) made available to the public also provide access for persons described in paragraph (2) when topographic, vegetative, and water resources allow access for such persons without substantial modification to the natural environment.

(2) Persons referred to in paragraph (1) are the following:

- (A) Disabled veterans.
- (B) Military dependents with disabilities.
- (C) Other persons with disabilities, when access to a military installation for such persons and other civilians is not otherwise restricted.

(3) The Secretary of Defense shall carry out this subsection in consultation with the Secretary of Veterans Affairs, national service, military, and veterans organizations, and sporting organizations in the private sector that participate in outdoor recreation projects for persons described in paragraph (2).

(c) Acceptance of donations

In connection with the facilities and programs for public outdoor recreation at military installations, in particular the requirement under subsection (b) of this section to provide access for persons described in paragraph (2) of such subsection, the Secretary of Defense may accept—

- (1) the voluntary services of individuals and organizations; and
- (2) donations of property, whether real or personal.

(d) Treatment of volunteers

A volunteer under subsection (c) of this section shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that—

(1) for the purposes of the tort claims provisions of chapter 171 of title 28, the volunteer shall be considered to be a Federal employee; and

(2) for the purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, the volunteer shall be considered to be an employee, as defined in section 8101(1)(B) of title 5, and the provisions of such subchapter shall apply.

(Pub. L. 86-797, title I, §103, formerly §3, Sept. 15, 1960, 74 Stat. 1053; Pub. L. 90-465, §1, Aug. 8, 1968, 82 Stat. 661; renumbered title I, §103, Pub. L. 93-452, §3(1), Oct. 18, 1974, 88 Stat. 1375; Pub. L. 105-85, div. B, title XXIX, §§2904(b)(6), 2913(6), Nov. 18, 1997, 111 Stat. 2018, 2022; Pub. L. 105-261, div. B, title XXVIII, §2813, Oct. 17, 1998, 112 Stat. 2206.)

AMENDMENTS

1998—Pub. L. 105-261 inserted section catchline, designated existing provisions as subsec. (a) and inserted heading, and added subsecs. (b) to (d).

1997—Pub. L. 105-85 substituted “military installations” for “military reservations”, “an integrated natural resources management plan” for “a cooperative plan”, and “the installations” for “such reservations”.

1968—Pub. L. 90-465 authorized the carrying out of a public outdoor recreation resources program under a cooperative plan between Secretary of Defense, Secretary of the Interior, and State agencies, and struck out provisions for expenditure of funds collected and purposes therefor, now incorporated in section 670f(a) of this title.

§ 670c-1. Cooperative and interagency agreements for land management on installations

(a) Authority of Secretary of military department

The Secretary of a military department may enter into cooperative agreements with States, local governments, nongovernmental organizations, and individuals, and into interagency agreements with the heads of other Federal departments and agencies, to provide for the following:

(1) The maintenance and improvement of natural resources on, or to benefit natural and historic research on, military installations and State-owned National Guard installations.

(2) The maintenance and improvement of natural resources located off of a military installation or State-owned National Guard installation if the purpose of the cooperative agreement or interagency agreement is to relieve or eliminate current or anticipated challenges that could restrict, impede, or otherwise interfere with, whether directly or indirectly, current or anticipated military activities.

(b) Multiyear agreements

Funds appropriated to the Department of Defense for a fiscal year may be obligated to cover the cost of goods and services provided under a cooperative agreement or interagency agreement entered into under subsection (a) of this section or through an agency agreement under section 1535 of title 31 during any 18-month period beginning in that fiscal year, without regard to whether the agreement crosses fiscal years.

(c) Availability of funds; agreements under other laws

Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds and shall not be considered, nor be treated as, cooperative agreements to which chapter 63 of title 31 applies.

(Pub. L. 86–797, title I, §103a, as added Pub. L. 101–189, div. B, title XXVIII, §2845(a), Nov. 29, 1989, 103 Stat. 1664; amended Pub. L. 105–85, div. B, title XXIX, §2908, Nov. 18, 1997, 111 Stat. 2021; Pub. L. 110–417, [div. A], title III, §313, Oct. 14, 2008, 122 Stat. 4409; Pub. L. 111–84, div. A, title III, §313, Oct. 28, 2009, 123 Stat. 2248; Pub. L. 112–81, div. A, title III, §312(a)(3), (b)(3), Dec. 31, 2011, 125 Stat. 1352, 1353.)

AMENDMENTS

2011—Pub. L. 112–81, §312(b)(3)(A), (B), inserted section catchline.

Subsec. (a). Pub. L. 112–81, §312(b)(3)(C), inserted heading.

Subsec. (a)(1). Pub. L. 112–81, §312(a)(3)(A), substituted “military installations and State-owned National Guard installations” for “Department of Defense installations”.

Subsec. (a)(2). Pub. L. 112–81, §312(a)(3)(B), substituted “military installation or State-owned National Guard installation” for “Department of Defense installation”.

Subsec. (c). Pub. L. 112–81, §312(b)(3)(D), inserted heading.

2009—Pub. L. 111–84 inserted, in section catchline, “and interagency” after “Cooperative”, in subsec. (a), “, and into interagency agreements with the heads of other Federal departments and agencies,” after “and individuals” in introductory provisions and “or interagency agreement” after “cooperative agreement” in par. (2), in subsec. (b), “or interagency agreement” after “cooperative agreement”, and, in subsec. (c), “and interagency agreements” after “Cooperative agreements”.

2008—Subsec. (a). Pub. L. 110–417 substituted “to provide for the following:

“(1) The” for “to provide for the” and added par. (2).

1997—Subsec. (a). Pub. L. 105–85, §2908(1), substituted “Secretary of a military department” for “Secretary of Defense”.

Subsec. (b). Pub. L. 105–85, §2908(2), added heading and text of subsec. (b) and struck out former subsec. (b) which read as follows: “A cooperative agreement shall provide for the Secretary of Defense and the other party or parties to the agreement—

“(1) to contribute funds on a matching basis to defray the cost of programs, projects, and activities under the agreement; or

“(2) to furnish services on a matching basis to carry out such programs, projects, and activities, or to do both.”

§ 670d. Liability for funds; accounting to Comptroller General

The Department of Defense is held free from any liability to pay into the Treasury of the United States upon the operation of the program or programs authorized by this subchapter any funds which may have been or may hereafter be collected, received or expended pursuant to, and for the purposes of, this subchapter, and which collections, receipts and expenditures have been properly accounted for to the Comptroller General of the United States.

(Pub. L. 86–797, title I, §104, formerly §4, Sept. 15, 1960, 74 Stat. 1053; renumbered title I, §104,

and amended Pub. L. 93–452, §3(1), (4), Oct. 18, 1974, 88 Stat. 1375; Pub. L. 112–81, div. A, title III, §312(b)(4), Dec. 31, 2011, 125 Stat. 1353.)

AMENDMENTS

2011—Pub. L. 112–81 inserted section catchline.

1974—Pub. L. 93–452, §3(4), substituted “title” for “Act” wherever appearing, which for purposes of codification was translated as “subchapter”.

§ 670e. Applicability to other laws; national forest lands

Nothing herein contained shall be construed to modify, amend or repeal any provision of Public Law 85–337, nor as applying to national forest lands administered pursuant to the provisions of section 9 of the Act of June 7, 1924 (43 Stat. 655), nor section 315m of title 43.

(Pub. L. 86–797, title I, §105, formerly §5, Sept. 15, 1960, 74 Stat. 1053; renumbered title I, §105, Pub. L. 93–452, §3(1), Oct. 18, 1974, 88 Stat. 1375; amended Pub. L. 112–81, div. A, title III, §312(b)(5), Dec. 31, 2011, 125 Stat. 1353.)

REFERENCES IN TEXT

Public Law 85–337, referred to in text, is Pub. L. 85–337, Feb. 28, 1958, 72 Stat. 28, which is classified to section 2671 of Title 10, Armed Forces; section 472 of former Title 40, Public Buildings, Property, and Works [now 40 U.S.C. 102]; and sections 155 to 158 of Title 43, Public Lands. For complete classification of this Act to the Code, see Tables.

Section 9 of the Act of June 7, 1924 [ch. 348, 43 Stat. 655], referred to in text, was classified to the code as follows: The first and fifth sentences were classified to section 471(b) of this title, which was repealed by section 704(a) of Pub. L. 94–579; the second and third sentences were classified to section 505 of this title; and the fourth sentence was classified to section 499 of this title.

AMENDMENTS

2011—Pub. L. 112–81 inserted section catchline.

§ 670e–1. Federal enforcement of other laws

All Federal laws relating to the management of natural resources on Federal land may be enforced by the Secretary of Defense with respect to violations of the laws that occur on military installations within the United States.

(Pub. L. 86–797, title I, §106, as added Pub. L. 105–85, div. B, title XXIX, §2909(2), Nov. 18, 1997, 111 Stat. 2021.)

PRIOR PROVISIONS

A prior section 106 of Pub. L. 86–797 was renumbered section 108, and is classified to section 670f of this title.

§ 670e–2. Natural resources management services

To the extent practicable using available resources, the Secretary of each military department shall ensure that sufficient numbers of professionally trained natural resources management personnel and natural resources law enforcement personnel are available and assigned responsibility to perform tasks necessary to carry out this subchapter, including the preparation and implementation of integrated natural resources management plans.

(Pub. L. 86–797, title I, §107, as added Pub. L. 105–85, div. B, title XXIX, §2910, Nov. 18, 1997, 111 Stat. 2021.)