

Service, to purchase personal equipment and supplies for them, and to make deductions therefor from moneys appropriated for salary payments or otherwise due such employees. He is also authorized, in his discretion, to provide out of moneys appropriated for the general expenses of the Forest Service medical attention for employees of the Forest Service located at isolated situations, including the moving of such employees to hospitals or other places where medical assistance is available, and in case of death to remove the bodies of deceased employees to the nearest place where they can be prepared for shipment or for burial: *Provided*, That when a transient without permanent residence, or any other person while away from his place of residence, is temporarily employed by the Forest Service and while so employed becomes disabled because of injury or illness not attributable to official work, he may be provided hospitalization and other necessary medical care, subsistence, and lodging for a period of not to exceed fifteen days during such disability, the cost thereof to be payable from any funds available to the Forest Service applicable to the work for which such person is employed.

(Mar. 3, 1925, ch. 457, §§4, 6, 43 Stat. 1133; Apr. 24, 1950, ch. 97, §15, 64 Stat. 86.)

#### AMENDMENTS

1950—Act Apr. 24, 1950, inserted proviso to provide medical care for temporary employees.

#### § 557a. Field season contracts; authority to make prior to appropriation

The Secretary of Agriculture is hereafter authorized, in connection with the administration of the national forests, to enter into contracts for the procurement of services, materials, and supplies for the ensuing fiscal year, prior to the passage of an appropriation therefor: *Provided*, That such contracts shall aliquot the cost for such service by fiscal years and shall not be binding on the United States as to that part for the ensuing year unless and until an appropriation applicable to the payment thereof is made: *And provided further*, That all such contracts shall by their terms provide that the obligation of the United States is contingent upon the passage of an applicable appropriation and that no payment thereunder will be made until such appropriation becomes available for expenditure.

(June 30, 1932, ch. 331, 47 Stat. 473.)

#### § 557b. Omitted

#### CODIFICATION

Section, act June 16, 1955, ch. 147, title II, §202, 69 Stat. 156, which related to employment of aliens in the Forest Service, was enacted as part of the Department of the Interior and Related Agencies Appropriation Act, 1956, and was not repeated in the Department of the Interior and Related Agencies Appropriation Act, 1957 (approved June 13, 1956, ch. 380, 70 Stat. 257), or subsequent appropriation acts.

#### § 558. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 642

Section, act Mar. 4, 1913, ch. 145, §1[part], 37 Stat. 843, related to leaves of absence to employees of Forest Service in Alaska.

#### § 558a. Volunteers in the National Forests Program

The Secretary of Agriculture (hereinafter referred to as the “Secretary”) is authorized to recruit, train, and accept without regard to the civil service<sup>1</sup> classification laws, rules, or regulations the services of individuals without compensation as volunteers for or in aid of interpretive functions, visitor services, conservation measures and development, or other activities in and related to areas administered by the Secretary through the Forest Service. In carrying out this section, the Secretary shall consider referrals of prospective volunteers made by the Corporation for National and Community Service.

(Pub. L. 92-300, §1, May 18, 1972, 86 Stat. 147; Pub. L. 103-82, title IV, §405(d), Sept. 21, 1993, 107 Stat. 921.)

#### AMENDMENTS

1993—Pub. L. 103-82 substituted “the Corporation for National and Community Service” for “ACTION”.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Apr. 4, 1994, see section 406(b) of Pub. L. 103-82, set out as a note under section 8332 of Title 5, Government Organization and Employees.

#### SHORT TITLE

Pub. L. 92-300, §5, May 18, 1972, 86 Stat. 147, provided that: “This Act [enacting this section and sections 558b to 558d of this title] may be cited as the ‘Volunteers in the National Forests Act of 1972.’”

#### § 558b. Incidental expenses of program volunteers

The Secretary is authorized to provide for incidental expenses, such as transportation, uniforms, lodging, and subsistence.

(Pub. L. 92-300, §2, May 18, 1972, 86 Stat. 147.)

#### § 558c. Employment status of volunteers

##### (a) Federal employee status

Except as otherwise provided in this section, a volunteer shall not be deemed 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.

##### (b) Tort claims

For the purpose of the tort claim provisions of title 28, a volunteer under sections 558a to 558d of this title shall be considered a Federal employee.

##### (c) Civil employees

For the purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, volunteers under sections 558a to 558d of this title shall be deemed civil employees of the United States within the meaning of the term “employee” as defined in section 8101 of title 5, and the provisions of that subchapter shall apply.

<sup>1</sup> So in original. The word “and” probably should appear after “civil service”.

**(d) Compensation for losses and damages**

For the purposes of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under sections 558a to 558d of this title shall be considered a Federal employee, and the provisions of section 3721 of title 31 shall apply.

(Pub. L. 92-300, §3, May 18, 1972, 86 Stat. 147; Pub. L. 101-286, title II, §204(a), May 9, 1990, 104 Stat. 175.)

## AMENDMENTS

1990—Subsec. (d). Pub. L. 101-286 added subsec. (d).

**§ 558d. Authorization of appropriations**

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of sections 558a to 558d of this title.

(Pub. L. 92-300, §4, May 18, 1972, 86 Stat. 147; Pub. L. 95-289, §1, June 5, 1978, 92 Stat. 289.)

## AMENDMENTS

1978—Pub. L. 95-289 struck out limitation requiring not more than \$100,000 to be appropriated in any one year.

## EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95-289, §2, June 5, 1978, 92 Stat. 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, amend-