

2015—Subsec. (b). Pub. L. 114-54 substituted “during fiscal years 2016 through 2018” for “for a period of five years beginning October 1, 1992”.

1993—Subsec. (a). Pub. L. 103-106, §3(a)(1), inserted “, project,” after “administrative” and substituted “beginning October 1, 1992” for “following November 16, 1990”.

Subsec. (b). Pub. L. 103-106, §3(a)(2), substituted “beginning October 1, 1992” for “from November 16, 1990” and inserted “and project” after “administrative”.

PURPOSE OF PUB. L. 103-106

Pub. L. 103-106, §2, Oct. 12, 1993, 107 Stat. 1031, provided that: “It is the purpose of this Act [see Short Title of 1993 Amendment note set out under section 583j of this title]—

“(1) to provide for start-up and matching funds for project expenses to carry out the National Forest Foundation Act [16 U.S.C. 583j et seq.]; and

“(2) to extend the funding authorization for start-up expenses for 1 year.”

§ 583j-4. Volunteers

The Secretary may accept, without regard to the civil service classification laws, rules and regulations, any director, officer, employee or agent of the Foundation as a volunteer for purposes of the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a through 558d; 86 Stat. 147).

(Pub. L. 101-593, title IV, §406, Nov. 16, 1990, 104 Stat. 2973.)

REFERENCES IN TEXT

The Volunteers in the National Forests Act of 1972, referred to in text, is Pub. L. 92-300, May 18, 1972, 86 Stat. 147, as amended, which is classified generally to section 558a et seq. of this title. For complete classification of this Act to the Code, see Short Title note set out under section 558a of this title and Tables.

§ 583j-5. Audits and report requirements

(a) Audits

For purposes of section 10101 of title 36 the Foundation shall be treated as a corporation in part B of subtitle II of title 36.

(b) Annual reports

The Foundation shall transmit each year to Congress a report of its proceedings and activities of the previous year, including a full and complete statement of its receipts, expenditures, and investments.

(Pub. L. 101-593, title IV, §407, Nov. 16, 1990, 104 Stat. 2973; Pub. L. 114-54, title II, §201(c)(2), Sept. 30, 2015, 129 Stat. 516.)

CODIFICATION

In subsec. (a), “section 10101 of title 36” substituted for “the Act entitled ‘An Act for audit of accounts of private corporations established under Federal law,’ approved August 30, 1964 (36 U.S.C. 1101 through 1103; Public Law 88-504)” and “a corporation in part B of subtitle II of title 36” substituted for “a private corporation established under Federal law” on authority of Pub. L. 105-225, §5(b), Aug. 12, 1998, 112 Stat. 1499, the first section of which enacted Title 36, Patriotic and National Observances, Ceremonies, and Organizations.

AMENDMENTS

2015—Subsec. (b). Pub. L. 114-54 struck out comma after “The Foundation shall”.

§ 583j-6. United States release from liability

The United States shall not be liable for any debts, defaults, acts or omissions of the Founda-

tion nor shall the full faith and credit of the United States extend to any obligations of the Foundation.

(Pub. L. 101-593, title IV, §408, Nov. 16, 1990, 104 Stat. 2973.)

§ 583j-7. Activities of Foundation and United States Forest Service

The activities of the Foundation authorized under the provisions of this Act shall be supplemental to and shall not preempt any authority or responsibility of the United States Forest Service under any other provision of law.

(Pub. L. 101-593, title IV, §409, Nov. 16, 1990, 104 Stat. 2973.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 101-593, Nov. 16, 1990, 104 Stat. 2954, which enacted this subchapter, chapter 32A of this title, and section 777e-1 of this title, amended sections 2910, 3702, 3709, 4403, and 4404 of this title, and enacted provisions listed in a table of National Environmental Centers set out under section 668dd of this title and provisions set out in notes under section 3701 of this title and section 4321 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Tables.

§ 583j-8. Authorization of appropriations

(a) Startup funds

For the purposes of section 583j-3 of this title, there are authorized to be appropriated \$1,000,000.

(b) Matching funds

For the purposes of section 583j-3 of this title, there are authorized to be appropriated \$3,000,000 for each of fiscal years 2016 through 2023 to the Secretary of Agriculture to be made available to the Foundation to match, on a one-for-one basis, private contributions made to the Foundation.

(Pub. L. 101-593, title IV, §410, Nov. 16, 1990, 104 Stat. 2973; Pub. L. 103-106, §3(b), Oct. 12, 1993, 107 Stat. 1032; Pub. L. 114-54, title II, §201(b), Sept. 30, 2015, 129 Stat. 515; Pub. L. 115-334, title VIII, §8503(b), Dec. 20, 2018, 132 Stat. 4847.)

AMENDMENTS

2018—Subsec. (b). Pub. L. 115-334 substituted “2023” for “2018”.

2015—Subsec. (b). Pub. L. 114-54 substituted “there are authorized to be appropriated \$3,000,000 for each of fiscal years 2016 through 2018” for “during the five-year period beginning October 1, 1992, there are authorized to be appropriated \$1,000,000 annually”.

1993—Subsec. (b). Pub. L. 103-106 substituted “beginning October 1, 1992” for “following November 16, 1990”.

§ 583j-9. Federal funds

For fiscal year 2014 and thereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after January 17, 2014) on Federal funds to carry out the purposes of Public Law 101-593: *Provided further*, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(Pub. L. 113-76, div. G, title III, Jan. 17, 2014, 128 Stat. 327.)

REFERENCES IN TEXT

Public Law 101-593, referred to in text, is Pub. L. 101-593, Nov. 16, 1990, 104 Stat. 2954, which enacted this subchapter, chapter 32A of this title, and section 777e-1 of this title, amended sections 2910, 3702, 3709, 4403, and 4404 of this title, and enacted provisions listed in a table of National Wildlife Refuges set out under section 668dd of this title and provisions set out in notes under section 3701 of this title and section 4321 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was enacted as part of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2014, and also as part of the Consolidated Appropriations Act, 2014, and not as part of the National Forest Foundation Act which comprises this subchapter.

PRIOR PROVISIONS

Provisions similar to this section were contained in the following prior appropriation acts:

- Pub. L. 107-63, title II, Nov. 5, 2001, 115 Stat. 450.
- Pub. L. 106-291, title II, Oct. 11, 2000, 114 Stat. 972.
- Pub. L. 106-113, div. B, §1000(a)(3) [title II], Nov. 29, 1999, 113 Stat. 1535, 1501A-176.
- Pub. L. 105-277, div. A, §101(e) [title II], Oct. 21, 1998, 112 Stat. 2681-231, 2681-273.
- Pub. L. 105-83, title II, Nov. 14, 1997, 111 Stat. 1577.

AUTHORIZED INVESTMENTS

Provisions similar to the proviso in this section were contained in the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006, Pub. L. 109-54, title III, Aug. 2, 2005, 119 Stat. 538, and were repeated in provisions of subsequent appropriations acts which are not set out in the Code. Similar provisions also were contained in the following prior appropriations acts:

- Pub. L. 108-447, div. E, title II, Dec. 8, 2004, 118 Stat. 3079.
- Pub. L. 108-108, title II, Nov. 10, 2003, 117 Stat. 1288.
- Pub. L. 108-7, div. F, title II, Feb. 20, 2003, 117 Stat. 256.

SUBCHAPTER VI—NATIONAL FOREST SYSTEM TRAILS STEWARDSHIP

§ 583k. Findings

Congress finds as follows:

(1) The National Forest System features a world-class trail system with over 157,000 miles of trails that provide world-class opportunities for hiking, horseback riding, hunting, mountain bicycling, motorized vehicles, and other outdoor activities.

(2) According to the Government Accountability Office, the Forest Service is only able to maintain about one-quarter of National Forest System trails to the agency standard, and the agency faces a trail maintenance backlog of \$314 million, and an additional backlog of \$210 million in annual maintenance, capital improvements, and operations.

(3) The lack of maintenance on National Forest System trails threatens access to public lands, and may cause increased environmental damage, threaten public safety, and increase future maintenance costs.

(4) Federal budget limitations require solutions to National Forest System trail maintenance issues that make more efficient use of existing resources.

(5) Volunteers, partners, and outfitters and guides play an important role in maintaining

National Forest System trails, and a comprehensive strategy is needed to ensure that volunteers and partners are used as effectively as possible.

(Pub. L. 114-245, §2, Nov. 28, 2016, 130 Stat. 990.)

SHORT TITLE

Pub. L. 114-245, §1(a), Nov. 28, 2016, 130 Stat. 990, provided that: “This Act [enacting this subchapter and amending section 558c of this title] may be cited as the ‘National Forest System Trails Stewardship Act.’”

§ 583k-1. Definitions

In this subchapter:

(1) Administrative Unit

The term “Administrative Unit” means a national forest or national grassland.

(2) Outfitter or guide

The term “outfitter or guide” means an individual, organization, or business who provides outfitting or guiding services, as defined in section 251.51 of title 36, Code of Federal Regulations.

(3) Partner

The term “partner” means a non-Federal entity that engages in a partnership.

(4) Partnership

The term “partnership” means arrangements between the Department of Agriculture or the Forest Service and a non-Federal entity that are voluntary, mutually beneficial, and entered into for the purpose of mutually agreed-upon objectives.

(5) Priority area

The term “priority area” means a well-defined region on National Forest System land selected by the Secretary under section 583k-3(a) of this title.

(6) Secretary

The term “Secretary” means the Secretary of Agriculture.

(7) Strategy

The term “strategy” means the National Forest System Trails Volunteer and Partnership Strategy authorized by section 583k-2(a) of this title.

(8) Trail maintenance

The term “trail maintenance” means any activity to maintain the usability and sustainability of trails within the National Forest System, including—

- (A) ensuring trails are passable by the users for which they are managed;
- (B) preventing environmental damage resulting from trail deterioration;
- (C) protecting public safety; and
- (D) averting future deferred maintenance costs.

(9) Volunteer

The term “volunteer” means an individual whose services are accepted by the Secretary without compensation under the Volunteers in the National Forests Act of 1972 (16 U.S.C. 558a et seq.).

(Pub. L. 114-245, §3, Nov. 28, 2016, 130 Stat. 990.)