

civil service¹ 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.

(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

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

sections 558a to 558d of this title shall be considered a Federal employee, and the provisions of section 3721 of title 31 shall apply.

(e) Volunteers recruited and supervised by cooperators

For the purposes of subsections (b), (c), and (d), the term “volunteer” includes a person providing volunteer services to the Secretary who—

(1) is recruited, trained, and supported by a cooperator under a mutual benefit agreement with the Secretary; and

(2) performs such volunteer services under the supervision of the cooperator as directed by the Secretary in the mutual benefit agreement, including direction that specifies—

(A) the volunteer services to be performed by the volunteers and the supervision to be provided by the cooperator;

(B) the applicable project safety standards and protocols to be adhered to by the volunteers and enforced by the cooperator; and

(C) the on-site visits to be made by the Secretary, when feasible, to verify that volunteers are performing the volunteer services and the cooperator is providing the supervision agreed upon.

(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; Pub. L. 114-245, §4(d)(1), Nov. 28, 2016, 130 Stat. 992.)

AMENDMENTS

2016—Subsec. (e). Pub. L. 114-245 added subsec. (e).
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.