

AMENDMENTS

1976—Pub. L. 94-579 struck out everything preceding second proviso which read: “Whenever a municipality obtains its water supply from a national forest and has entered into a cooperative agreement with the Secretary of Agriculture for the protection of the watershed within the national forest from which the water is secured, the President of the United States may, and he is, authorized, upon application by said municipality, and endorsed by the governing board of the county or counties in which the lands concerned are located and approved by the Secretaries of Agriculture and the Interior, to reserve and set aside from all forms of location, entry, or appropriation any national-forest lands, which are covered by such cooperative agreement, subject, however, to valid, existing rights and claims, and such reservation shall remain in force until revoked by the President or by an Act of Congress: *Provided*, That nothing herein shall affect the power of the Secretary of the Interior to withdraw and utilize withdrawn lands under the Federal reclamation laws”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1976 AMENDMENT

Section 704(a) of Pub. L. 94-579 provided in part that this section is amended effective on and after Oct. 21, 1976.

SAVINGS PROVISION

Amendment by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see note set out under section 1701 of Title 43, Public Lands.

§ 552b. Administration of withdrawn lands; rules and regulations

Lands withdrawn under the provisions of sections 552a to 552d of this title shall be administered by the Secretary of Agriculture under such agreements for the protection of the watershed as he may make with the municipality concerned, and the Secretary of Agriculture is authorized, in addition to the rules and regulations adopted for the administration of the national forests, to adopt and prescribe such further rules and regulations as he considers necessary to effect the adequate protection of the watershed, including a rule or regulation forbidding persons other than forest officers and representatives of the municipality from going on the lands so reserved or making any use whatever thereof.

(May 28, 1940, ch. 220, § 2, 54 Stat. 224.)

§ 552c. Reimbursement of United States for loss of revenue

Whenever national-forest lands are withdrawn under sections 552a to 552d of this title, and the municipality concerned objects to the utilization of the timber or other resources of lands withdrawn, and the Secretary of Agriculture agrees to withhold such resources from utilization, said municipality shall pay to the Forest Service annually an amount which the Secretary of Agriculture shall determine is necessary to reimburse the United States for the loss of net annual revenues which would be derived from the resources so withheld from disposition.

(May 28, 1940, ch. 220, § 3, 54 Stat. 225.)

§ 552d. Punishment of violations of regulations

Any violation of the regulations issued under sections 552a to 552d of this title shall be punished as is provided in section 1853 of title 18.

(May 28, 1940, ch. 220, § 4, 54 Stat. 225.)

Editorial Notes

CODIFICATION

“Section 1853 of title 18” substituted in text for “section 104 of title 18” on authority of act June 25, 1948, ch. 645, 62 Stat. 683, the first section of which enacted Title 18, Crimes and Criminal Procedure.

§ 553. Duties of officials of Forest Service; stock laws; protection of fish and game

Officials of the Forest Service designated by the Secretary of Agriculture shall, in all ways that are practicable, aid in the enforcement of the laws of the States or Territories with regard to stock, for the prevention and extinguishment of forest fires, and for the protection of fish and game, and with respect to national forests, shall aid the other Federal bureaus and departments on request from them, in the performance of the duties imposed on them by law.

(May 23, 1908, ch. 192, 35 Stat. 259.)

Executive Documents

TRANSFER OF FUNCTIONS

Functions of Secretary of Agriculture, administered through Bureau of Biological Survey, relating to conservation of wildlife, game, and migratory birds, transferred to Secretary of the Interior by Reorg. Plan No. II of 1939, § 4(f), eff. July 1, 1939, 4 F.R. 2731, 53 Stat. 1433, set out in the Appendix to Title 5, Government Organization and Employees.

§ 553a. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 655

Section, acts June 29, 1949, ch. 280, title I, 63 Stat. 337; Oct. 15, 1949, ch. 695, § 6(a), 63 Stat. 881, prescribed salary of Chief Forester. See section 5316 of Title 5, Government Organization and Employees.

§ 554. Forest supervisors and rangers

Forest supervisors and rangers shall be selected, when practicable, from qualified citizens of the States or Territories in which the national forests, respectively, are situated.

(Feb. 1, 1905, ch. 288, § 3, 33 Stat. 628.)

Editorial Notes

CODIFICATION

“National forests” substituted in text for “reserves” on authority of act Mar. 4, 1907, ch. 2907, 34 Stat. 1269, which provided that forest reserves shall hereafter be known as national forests.

§ 554a. Employees to be appointed without regard to political affiliations

Forest inspectors, superintendents, supervisors, surveyors, rangers, and fire patrol are to be hereafter appointed by the Secretary of Agriculture wholly with reference to their fitness and without regard for their political affiliations.

(July 7, 1898, ch. 571, § 1, 30 Stat. 673; Feb. 1, 1905, ch. 288, § 1, 33 Stat. 628.)

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

Act Feb. 1, 1905, transferred certain functions with regard to the administration of public forests from Secretary of the Interior to Secretary of Agriculture.

§ 554b. Medical care for employees engaged in hazardous work; notification and transportation of employees

Appropriations for the Forest Service shall be available for medical supplies and services and other assistance necessary for the immediate relief of artisans, laborers, and other employees engaged in any hazardous work under the Forest Service, and for expenses of notifying employees of the death or serious illness of close relatives and, in such cases where no public transportation is available, for transporting the employees to a point where public transportation is available.

(Sept. 21, 1944, ch. 412, title II, §202, 58 Stat. 736; Pub. L. 85-464, §4, June 20, 1958, 72 Stat. 217.)

Editorial Notes

CODIFICATION

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

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1958—Pub. L. 85-464 made appropriations available for expenses of notifying employees of the death or serious illness of close relatives, and for transportation of employees.

§ 554c. Care of employees' graves

Appropriations for the Forest Service shall be available within such limitations as may be prescribed therein for the expenses of properly caring for the graves of persons who have lost their lives as a result of fighting fires while employed by the Forest Service.

(Sept. 21, 1944, ch. 412, title II, §206, 58 Stat. 736.)

Editorial Notes

CODIFICATION

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

§ 554d. Recreation facilities for employees of Forest Service and their immediate families

Not to exceed \$100,000 annually of funds available to the Forest Service may be expended for providing recreation facilities, equipment, and services for use by employees of the Service located at isolated situations and, where deemed to be in the public interest, by members of the immediate families of such employees.

(Pub. L. 87-869, §3, Oct. 23, 1962, 76 Stat. 1157; Pub. L. 101-512, title II, Nov. 5, 1990, 104 Stat. 1944.)

Editorial Notes

AMENDMENTS

1990—Pub. L. 101-512 substituted "\$100,000" for "\$35,000".

§ 554e. Employment of workers for emergencies

Notwithstanding any other provision of law, on and after October 21, 1998, the Forest Service

is authorized to employ or otherwise contract with persons at regular rates of pay, as determined by the Service, to perform work occasioned by emergencies such as fires, storms, floods, earthquakes or any other unavoidable cause without regard to Sundays, Federal holidays, and the regular workweek.

(Pub. L. 105-277, div. A, §101(e) [title II], Oct. 21, 1998, 112 Stat. 2681-231, 2681-273.)

Statutory Notes and Related Subsidiaries

SIMILAR PROVISIONS

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

Pub. L. 105-83, title II, Nov. 14, 1997, 111 Stat. 1577.

Pub. L. 104-208, div. A, title I, §101(d) [title II], Sept. 30, 1996, 110 Stat. 3009-181, 3009-208.

Pub. L. 104-134, title I, §101(c) [title II], Apr. 26, 1996, 110 Stat. 1321-156, 1321-185; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.

Pub. L. 103-332, title II, Sept. 30, 1994, 108 Stat. 2524.

Pub. L. 103-138, title II, Nov. 11, 1993, 107 Stat. 1404.

Pub. L. 102-381, title II, Oct. 5, 1992, 106 Stat. 1402.

Pub. L. 102-154, title II, Nov. 13, 1991, 105 Stat. 1019.

Pub. L. 101-512, title II, Nov. 5, 1990, 104 Stat. 1944.

§ 555. Forest headquarters, ranger stations, dwellings, or other needed sites

Where no suitable Government land is available for national forest headquarters, ranger stations, dwellings, or for other sites required for the effective conduct of the authorized activities of the Forest Service, the Secretary of Agriculture is authorized to purchase such lands out of the appropriation applicable to the purpose for which the land is to be used, and to accept donations of land for any national forest or experimental purpose: *Provided*, That such lands may be acquired subject to such reservations and outstanding interests as the Secretary determines will not interfere with the purpose for which acquired: *Provided further*, That not to exceed \$50,000 may be expended in any one fiscal year pursuant to this authority.

(Mar. 3, 1925, ch. 457, §5, 43 Stat. 1133; Apr. 24, 1950, ch. 97, §13, 64 Stat. 86; Pub. L. 85-464, §9, June 20, 1958, 72 Stat. 218.)

Editorial Notes

AMENDMENTS

1958—Pub. L. 85-464 substituted "\$50,000" for "\$25,000".

1950—Act Apr. 24, 1950, applied section to dwellings or other needed sites and inserted provisos.

§ 555a. Exchange of lands

Where lands under the jurisdiction of the Forest Service have been acquired and are being administered under laws which contain no provision for their exchange, the Secretary of Agriculture may convey such lands and in exchange therefor may accept on behalf of the United States title to any lands which in his opinion are suitable for use in connection with activities of the Forest Service. The value of the lands so conveyed by the Secretary of Agriculture shall not exceed the value of the lands accepted by him.

(Pub. L. 87-869, §1, Oct. 23, 1962, 76 Stat. 1157.)