

Stat. 175; Pub. L. 103-82, title IV, § 405(d), Sept. 21, 1993, 107 Stat. 921; Pub. L. 114-245, § 4(d)(1), Nov. 28, 2016, 130 Stat. 992. Pub. L. 92-300 was subsequently amended generally by Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2913, including an amendment to provide that the Act be cited as the Volunteers in the National Forests and Public Lands Act. Pub. L. 92-300 is shown herein, however, as having been added by Pub. L. 118-234 without reference to those intervening amendments because of the extensive revision of Pub. L. 92-300 by Pub. L. 118-234.

PRIOR PROVISIONS

A prior section 558a, 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, authorized the Secretary of Agriculture to recruit, train, and accept volunteers in the National Forests Program, prior to the general amendment of the Volunteers in the National Forests Act of 1972 by Pub. L. 118-234.

A prior section 2 of Pub. L. 92-300, May 18, 1972, 86 Stat. 147, was classified to section 558b of this title, prior to the general amendment of the Volunteers in the National Forests Act of 1972 by Pub. L. 118-234.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 92-300, § 1, as added by Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2913, provided that: “This Act [enacting this section and sections 558b to 558g of this title] may be cited as the ‘Volunteers in the National Forests and Public Lands Act’.”

[For prior section 1 of Pub. L. 92-300, see Prior Provisions note above.]

Pub. L. 92-300, § 5, May 18, 1972, 86 Stat. 147, provided that Pub. L. 92-300, which enacted former sections 558a to 558d of this title, could be cited as the “Volunteers in the National Forests Act of 1972”, prior to the general amendment of Pub. L. 92-300 by Pub. L. 118-234.

REFERENCE TO VOLUNTEERS IN THE NATIONAL FORESTS ACT OF 1972

Pub. L. 118-234, title III, § 342, Jan. 4, 2025, 138 Stat. 2914, provided that: “Any reference to the Volunteers in the National Forests Act of 1972 in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Volunteers in the National Forests and Public Land[s] Act [see Short Title note above].”

§ 558b. Definition of Secretaries

In this Act, the term “Secretaries” means each of—

- (1) the Secretary of Agriculture, acting through the Chief of the Forest Service; and
- (2) the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(Pub. L. 92-300, § 3, as added Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2913.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 92-300, May 18, 1972, 86 Stat. 147, as amended generally by Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2913, known as the Volunteers in the National Forests and Public Lands Act, which enacted sections 558a to 558g 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.

PRIOR PROVISIONS

A prior section 558b, Pub. L. 92-300, § 2, May 18, 1972, 86 Stat. 147, authorized the Secretary to provide for in-

cidental expenses to program volunteers, prior to the general amendment of the Volunteers in the National Forests Act of 1972 by Pub. L. 118-234.

A prior section 3 of Pub. L. 92-300, May 18, 1972, 86 Stat. 147, was classified to section 558c of this title, prior to the general amendment of the Volunteers in the National Forests Act of 1972 by Pub. L. 118-234.

§ 558c. Authorization

The Secretaries are authorized to recruit, train, and accept without regard to the civil service and classification laws, rules, or regulations the services of individuals without compensation as volunteers for or in aid of recreation access, trail construction or maintenance, facility construction or maintenance, educational uses (including outdoor classroom construction or maintenance), interpretive functions, visitor services, conservation measures and development, or other activities in and related to areas administered by the Secretaries. In carrying out this section, the Secretaries shall consider referrals of prospective volunteers made by the Corporation for National and Community Service.

(Pub. L. 92-300, § 4, as added Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2913.)

Editorial Notes

PRIOR PROVISIONS

A prior section 558c, 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, related to employment status of volunteers, prior to the general amendment of the Volunteers in the National Forests Act of 1972 by Pub. L. 118-234.

A prior section 4 of Pub. L. 92-300, May 18, 1972, 86 Stat. 147, was classified to section 558d of this title, prior to the general amendment of the Volunteers in the National Forests Act of 1972 by Pub. L. 118-234.

§ 558d. Incidental expenses

The Secretaries are authorized to provide for incidental expenses, such as transportation, uniforms, lodging, training, equipment, and subsistence.

(Pub. L. 92-300, § 5, as added Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2913.)

Editorial Notes

PRIOR PROVISIONS

A prior section 558d, Pub. L. 92-300, § 4, May 18, 1972, 86 Stat. 147; Pub. L. 95-289, § 1, June 5, 1978, 92 Stat. 289, authorized appropriations for former sections 558a to 558d of this title, prior to the general amendment of the Volunteers in the National Forests Act of 1972 by Pub. L. 118-234.

A prior section 5 of Pub. L. 92-300, May 18, 1972, 86 Stat. 147, was set out as a Short Title note under section 558a of this title, prior to the general amendment of the Volunteers in the National Forests Act of 1972 by Pub. L. 118-234.

§ 558e. Consideration as Federal employee

(a) 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) For the purpose of the tort claim provisions of title 28, a volunteer under this Act shall be considered a Federal employee.

(c) For the purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, volunteers under this Act 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) For the purposes of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under this Act shall be considered a Federal employee, and the provisions of section 3721 of title 31 shall apply.

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

(1) is recruited, trained, and supported by a cooperator under a mutual benefit agreement or cooperative agreement with either of the Secretaries; and

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

(A) the volunteer services, including the geographic boundaries of the work 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;

(C) the on-site visits to be made by either of the Secretaries, if feasible and only if necessary to verify that volunteers are performing the volunteer services and the cooperator is providing the supervision agreed upon;

(D) the equipment the volunteers are authorized to use;

(E) the training the volunteers are required to complete;

(F) the actions the volunteers are authorized to take; and

(G) any other terms and conditions that are determined to be necessary by the applicable Secretary.

(Pub. L. 92-300, § 6, as added Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2913.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsecs. (b) to (d), is Pub. L. 92-300, May 18, 1972, 86 Stat. 147, as amended generally by Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2913, known as the Volunteers in the National Forests and Public Lands Act, which enacted sections 558a to 558g 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.

§ 558f. Promotion of volunteer opportunities

The Secretaries shall promote volunteer opportunities in areas administered by the Secretaries.

(Pub. L. 92-300, § 7, as added Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2914.)

§ 558g. Liability insurance

The Secretaries shall not require a cooperator or volunteer (as those terms are used in section 558e of this title) to have liability insurance to provide the volunteer services authorized under this Act.

(Pub. L. 92-300, § 8, as added Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2914.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 92-300, May 18, 1972, 86 Stat. 147, as amended generally by Pub. L. 118-234, title III, § 341, Jan. 4, 2025, 138 Stat. 2913, known as the Volunteers in the National Forests and Public Lands Act, which enacted this section and sections 558a to 558f 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.

§ 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.)

Editorial Notes

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 for-