

(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-

ests” and “or national park” after “jurisdiction the forest”.

Statutory Notes and Related Subsidiaries

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.)

Editorial Notes

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.)

Editorial Notes

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, amended section 841 of Title 21, Food and Drugs, and enacted provisions set out as a note below. For complete classification of title XV to the Code, see Short Title note set out below and Tables.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 99-570, title XV, §15001, Oct. 27, 1986, 100 Stat. 3207-191, provided that: “This title [enacting this section and sections 559c to 559f of this title and amending section 841 of Title 21, Food and Drugs] may be cited as the ‘National Forest System Drug Control Act of 1986’.”

NATIONAL FOREST SYSTEM, NATIONAL PARK SYSTEM, AND BUREAU OF LAND MANAGEMENT PUBLIC LANDS SAFETY; FINDINGS

Pub. L. 100-690, title VI, §6254(a), Nov. 18, 1988, 102 Stat. 4363, provided that: “Congress finds that—

“(1) National Forest System lands continue to be a haven for the unlawful production of marijuana and other controlled substances, which—

“(A) endangers the public in its use of National Forest System lands;

“(B) interferes with the ability of the Forest Service to effectively manage the natural resources and activities within the National Forest System; and

“(C) causes damage and destruction of the natural resources and facilities managed by the Forest Service;

“(2) the unlawful production of marijuana and other controlled substances often—

“(A) is generally harmful to the environment and public health and safety;

“(B) pollutes the air, soil, and water; and

“(C) is harmful to wildlife;

“(3) the Forest Service needs additional authority to adequately deal with the problem of controlled substance production that affects the administration of the National Forest System;

“(4) the Forest Service needs to be able to exercise its investigative authorities outside the boundaries of the National Forest System for drug-related crimes arising from within the National Forest System in order to be effective in deterring such crime;

“(5) the authority and powers of the Forest Service are not intended to be in conflict or interfere with the statutory authority, powers, or responsibilities of any State or political subdivision thereof; and

“(6) the Forest Service, in the exercise of its law enforcement powers, should cooperate to every extent possible with any other Federal, State, or local law enforcement authority having jurisdiction in areas where national forests are located, particularly where coordinated investigative and enforcement actions can be effective to control crime which affects multiple agencies.”

§ 559c. Powers of officers and employees of Forest Service

For the purposes of sections 559b to 559f of this title, if specifically designated by the Secretary and specially trained, not to exceed 1,000 special agents and law enforcement officers of the Forest Service when in the performance of their duties shall have authority to—

(1) carry firearms;

(2) conduct, within the exterior boundaries of the National Forest System, investigations of violations of and enforce section 841 of title 21 and other criminal violations relating to marijuana and other controlled substances that are manufactured, distributed, or dispensed on National Forest System lands and to conduct such investigations and enforcement of such laws outside the exterior boundaries of the National Forest System for offenses committed within the National Forest System or which affect the administration of