

ity of the Opal Creek area. Such plan shall be based on an economic opportunity study and other appropriate information.

(2) Funds provided to the States for grants

Upon completion of the Opal Creek Management Plan, and receipt of the plan referred to in paragraph (1), the Secretary shall provide, subject to appropriations, \$15,000,000 to the State of Oregon. Such funds shall be used to make grants or loans for economic development projects that further the purposes of this section and benefit the local communities in the vicinity of the Opal Creek area.

(3) Report

The State of Oregon shall—

(A) prepare and provide the Secretary and Congress with an annual report on the use of the funds made available under this subsection;

(B) make available to the Secretary and to Congress, upon request, all accounts, financial records, and other information related to grants and loans made available pursuant to this subsection; and

(C) as loans are repaid, make additional grants and loans with the money made available for obligation by such repayments.

(Pub. L. 104-333, div. I, title X, §1023, Nov. 12, 1996, 110 Stat. 4215.)

REFERENCES IN TEXT

The Wilderness Act of 1964, referred to in subsec. (c)(1), probably means the Wilderness Act, Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

The Endangered Species Act, referred to in subsec. (d)(2)(B), probably means the Endangered Species Act of 1973, Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, as amended, which is classified generally to chapter 35 (§1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

The National Forest Management Act, referred to in subsec. (d)(2)(B), probably means the National Forest Management Act of 1976, Pub. L. 94-588, Oct. 22, 1976, 90 Stat. 2949, as amended, which enacted sections 472a, 521b, 1600, and 1611 to 1614 of this title, amended sections 500, 515, 516, 518, 576b, and 1601 to 1610 of this title, repealed sections 476, 513, and 514 of this title, and enacted provisions set out as notes under sections 476, 513, 528, 594-2, and 1600 of this title. For complete classification of this Act to the Code, see Short Title of 1976 Amendment note set out under section 1600 of this title and Tables.

The Oregon Wilderness Act of 1984, referred to in subsec. (d)(3)(A), is Pub. L. 98-328, June 26, 1984, 98 Stat. 272, which enacted subchapter C (§4600o) of chapter 1 of this title and provisions listed in a table of Wilderness Areas set out under section 1132 of this title. For complete classification of this Act to the Code, see Tables.

The public land laws, referred to in subsec. (d)(7)(A)(i), are classified generally to Title 43, Public Lands.

The mining laws, referred to in subsec. (d)(7)(A)(ii), (8)(D), are classified generally to Title 30, Mineral Lands and Mining.

The mineral leasing laws, referred to in subsec. (d)(7)(A)(iii), have been defined in sections 351, 505, 530, and 541e of Title 30 to mean acts Oct. 20, 1914, ch. 330, 38 Stat. 741; Feb. 25, 1920, ch. 85, 41 Stat. 437; Apr. 17, 1926, ch. 158, 44 Stat. 301; and Feb. 7, 1927, ch. 66, 44 Stat.

1057. The act of Oct. 20, 1914, was repealed by Pub. L. 86-252, §1, Sept. 9, 1959, 73 Stat. 490. The act of Feb. 25, 1920, is known as the Mineral Leasing Act and is classified generally to chapter 3A (§181 et seq.) of Title 30. The act of Apr. 17, 1926, is classified generally to subchapter VIII (§271 et seq.) of chapter 3A of Title 30. The act of Feb. 7, 1927, is classified principally to subchapter IX (§281 et seq.) of chapter 3A of Title 30. For complete classification of these Acts to the Code, see Tables.

The geothermal leasing laws, referred to in subsec. (d)(7)(A)(iii), are classified principally to chapter 23 (§1001 et seq.) of Title 30.

The Federal Power Act, referred to in subsec. (d)(9), is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, which is classified generally to chapter 12 (§791a et seq.) of this title. For complete classification of this Act to the Code, see section 791a of this title and Tables.

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, referred to in subsec. (f)(2)(A), is Pub. L. 96-510, Dec. 11, 1980, 94 Stat. 2767, as amended, which is classified principally to chapter 103 (§9601 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.

CODIFICATION

Section is comprised of section 1023 of Pub. L. 104-333. Subsec. (c)(1)(A) of section 1023 of Pub. L. 104-333 also enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title. Subsec. (h) of section 1023 of Pub. L. 104-333 amended section 1274 of this title.

Provisions substantially identical to the text of this section were enacted by title I of div. B of Pub. L. 104-208, Sept. 30, 1996, 110 Stat. 3009-523, known as the Opal Creek Wilderness and Opal Creek Scenic Recreation Area Act of 1996.

SHORT TITLE

Pub. L. 104-208, div. B, title I, §101, Sept. 30, 1996, 110 Stat. 3009-523, provided that: "This title [see Codification note above] may be cited as the 'Opal Creek Wilderness and Opal Creek Scenic Recreation Area Act of 1996'."

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

CHAPTER 3—FORESTS; FOREST SERVICE; REFORESTATION; MANAGEMENT

SUBCHAPTER I—GENERAL PROVISIONS

- Sec. 551. Protection of national forests; rules and regulations.
- 551a. Cooperation by Secretary of Agriculture with States and political subdivisions in law enforcement.
- 551b. Report on rehabilitation needs.
- 551c. Planning for fire protection.
 - (a) Volunteer firefighters.
 - (b) "Educational institutions" defined.
 - (c) Mobilization of local equipment.
 - (d) Presuppression needs.
- 552. Consent to agreement by States for conservation of forests and water supply.

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| <p>Sec.
552a. Restoration of withdrawn national forest lands to appropriation.</p> <p>552b. Administration of withdrawn lands; rules and regulations.</p> <p>552c. Reimbursement of United States for loss of revenue.</p> <p>552d. Punishment of violations of regulations.</p> <p>553. Duties of officials of Forest Service; stock laws; protection of fish and game.</p> <p>553a. Repealed.</p> <p>554. Forest supervisors and rangers.</p> <p>554a. Employees to be appointed without regard to political affiliations.</p> <p>554b. Medical care for employees engaged in hazardous work; notification and transportation of employees.</p> <p>554c. Care of employees' graves.</p> <p>554d. Recreation facilities for employees of Forest Service and their immediate families.</p> <p>554e. Employment of workers for emergencies.</p> <p>555. Forest headquarters, ranger stations, dwellings, or other needed sites.</p> <p>555a. Exchange of lands.</p> <p>555b. Street improvements; availability of Forest Service funds.</p> <p>556. Appropriations for Forest Service; use for transportation or traveling expenses; preparation or publication of newspaper or magazine articles.</p> <p>556a. Omitted.</p> <p>556b. Use of appropriations for expenses of transporting automobiles of employees between points in Alaska.</p> <p>556c. Reimbursement of employees for property losses resulting from fires, floods, or other casualties.</p> <p>556d. Advances of public moneys to Forest Service for fighting forest fires in emergency cases.</p> <p>556e. Emergency appropriations for rehabilitation and wildfire suppression.</p> <p>556f. Expenses of student interns.</p> <p>556g. Reimbursement of employee license costs and certification fees.</p> <p>556h. Recognition of private contributors to Forest Service programs.</p> <p>557. Employees of Forest Service; subsistence furnished to; personal equipment; supplies, and medical attention.</p> <p>557a. Field season contracts; authority to make prior to appropriation.</p> <p>557b, 558. Omitted or Repealed.</p> <p>558a. Volunteers in the National Forests Program.</p> <p>558b. Incidental expenses of program volunteers.</p> <p>558c. Employment status of volunteers.
(a) Federal employee status.
(b) Tort claims.
(c) Civil employees.
(d) Compensation for losses and damages.</p> <p>558d. Authorization of appropriations.</p> <p>559. Arrests by employees of Forest Service for violations of laws and regulations.</p> <p>559a. Reward for information leading to arrest and conviction for violating laws and regulations.</p> <p>559b. Prevention of manufacture, etc., of marijuana and other controlled substances.
(a) Purpose.
(b) Law enforcement authority.
(c) Definitions.</p> <p>559c. Powers of officers and employees of Forest Service.</p> <p>559d. Cooperation with other Federal, State, and local law enforcement agencies.</p> <p>559e. Forest Service authorization.</p> <p>559f. Approval of Secretary of Agriculture and Attorney General.</p> <p>559g. Designation authority of Secretary of Agriculture.
(a) Purpose.</p> | <p>Sec.
(b) Officers of other agencies.
(c) Acceptance by Forest Service.</p> <p>560. Use of timber for telephone lines for fire protection.</p> <p>560a, 561. Omitted or Repealed.</p> <p>562. Forest experiment station in California.</p> <p>562a. Forest experiment station in Ohio and Mississippi Valleys.</p> <p>562b. Forest experiment station in Pennsylvania.</p> <p>563. Cooperation with States for fire protection on private or State forest lands upon the watersheds of navigable rivers.</p> <p>564, 565. Repealed.</p> <p>565a. Cooperation by Secretary of Agriculture with Territories.</p> <p>565a-1. Cooperative agreements between Secretary of Agriculture and public or private agencies, organizations, institutions, and persons covering Forest Service programs; authority; funding.</p> <p>565a-2. Federal employee status of cooperators.</p> <p>565a-3. Agreements otherwise authorized by law.</p> <p>565b. Transfer of fire lookout towers and other improvements for fire control to States, political subdivisions or agencies; reversion.</p> <p>566, 566a. Repealed.</p> <p>566b. Annual appropriations; limitation on use of other funds for the purposes of sections 564, 565, and 566.</p> <p>567. Repealed.</p> <p>567a. Cooperation by Secretary of Agriculture with States in acquisition and administration of State forests.</p> <p>567b. Conditions and requirements for cooperation in acquisition and management of State forests.</p> <p>567c. Authorization of appropriation for cooperation in acquisition and management of State forests.</p> <p>568. Cooperation by Secretary of Agriculture with States in establishing, etc., wood lots, shelter belts, windbreaks, etc.; limitation on expenditure; authorization of appropriations.</p> <p>568a. Cooperation by Secretary of Agriculture with Territories and other possessions.</p> <p>568b to 568g. Repealed or Omitted.</p> <p>569. Donations to United States of lands for timber purposes.</p> <p>570. Ascertainment by Secretary of Agriculture of public lands valuable for stream-flow protection and report thereof.</p> <p>571 to 571b. Repealed or Omitted.</p> <p>571c. Erection of permanent facilities on land not owned by United States; long term leases.</p> <p>572. Cooperation between Secretary of Agriculture and public or private agencies in working land under State or private ownership.
(a) Payment of expenses by interested parties; work contemplated.
(b) Cooperation where national forests or lands are used by permittees.
(c) Disposition and availability of moneys; advancements; adjustments.</p> <p>572a. Deposits from timber purchasers to defray cost of scaling services.</p> <p>573. Repealed.</p> <p>574. Damages caused private property in protection, administration, and improvement of national forests; reimbursement.</p> <p>575. Search for lost persons, and transportation of sick, injured, or dead persons, within national forests; authorization to incur expense.</p> <p>576. Reforestation; establishment of forest tree nurseries; tree planting; seed sowing and forest improvement work.</p> <p>576a. Authorization of appropriation for reforestation.</p> |
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- Sec. 576b. Purchasers of national-forest timber; deposits of money in addition to payments for timber; use of deposits; seedlings and young trees for burned-over areas in national parks.
- 576c. Supplemental National Forest Reforestation Fund; establishment; duration; authorization of appropriations.
- 576d. Expenditure of Supplemental National Forest Reforestation Fund moneys; availability of moneys from other sources unaffected.
- 576e. Repealed.
- 577. Public lands in northern Minnesota; withdrawal from entry and appropriation.
- 577a. Conserving shore line beauty for recreational use of public lands in northern Minnesota; regulation of logging.
- 577b. Preserving water level of lakes and streams of public lands in northern Minnesota; reservoirs; water power.
- 577c. Acquisition of additional lands in northern Minnesota.
- 577d. Boundary limits of additional lands acquired in northern Minnesota.
- 577d-1. Extension to other sections of land.
- 577e. Approval by National Forest Reservation Commission for acquisition of additional lands.
- 577f. Exchange of lands.
- 577g. Payment for additional lands acquired in northern Minnesota.
- 577g-1. Payment to State of Minnesota for extension to other sections of land.
- 577h. Authorization of appropriations; limitation on amount for purchase of additional lands, water or interests therein; availability of other funds; annual report to Congress.
 - (a) Appropriations authorized; purposes.
 - (b) Reports on acquisitions.
- 578 to 579. Omitted.
- 579a. Operation of aerial facilities and services.
- 579b. Working capital fund; establishment; availability; transfer; capitalization; advance payments credited.
- 579c. Availability of funds received from forfeitures, judgments, compromises, or settlements.
- 580. Use of Forest Service appropriations for repair, etc. of equipment; rental of fire control equipment to non-Federal agencies.
- 580a. Sale and distribution of supplies, equipment, and materials to other Government activities and to cooperating State and private agencies; reimbursement.
- 580b. Forest Service telephone lines; correction of inductive interference.
- 580c. Purchases of experimental materials, special devices, test models, etc.
- 580d. Use of Forest Service structures or improvements and land by public and private agencies, etc.; terms.
- 580e. Services furnished persons attending Forest Service demonstrations and users of national forest resources and recreational facilities; rate of charges; disposition of moneys.
- 580f. Telephones for official use in private residences.
- 580g. Seeding leased range land; conditions and limitations.
- 580h. Range improvements from appropriated funds.
- 580i. Acquisition of winter range, land, and helicopter landing site.
- 580j. Injury benefits for temporary employees.
- 580k. Grazing advisory boards.
 - (a) Composition; election meetings.
 - (b) Advice and recommendations on matters within jurisdiction.

- Sec. (c) Notification by Secretary of Agriculture of intention to issue regulations; recommendations; written explanation of reasons for overruling.
 - 580l. Permits for grazing livestock on national forests.
 - 580m. Development of reservoir areas for future resources of timber; Congressional declaration of policy.
 - 580n. Protection and development of forest or other vegetative cover; establishment and maintenance of conservation measures; coordination of programs and policies.
 - 580o. Forest Service appropriations.
 - 580p. "Woodsy Owl" and "Smokey Bear" characters and names; definitions.
 - 580p-1. Property of the United States.
 - 580p-2. Deposit of fees collected under regulations relating to "Smokey Bear"; availability.
 - 580p-3. Use of royalty fees; special account.
 - 580p-4. Injunction against unauthorized manufacture, use, or reproduction.
 - 580q. National Tree Seed Laboratory; disposition of fees.
- SUBCHAPTER II—INVESTIGATIONS, EXPERIMENTS, AND TESTS AFFECTING REFORESTATION AND FOREST PRODUCTS
- 581 to 581i. Repealed or Omitted.
 - 581i-1. Advance of funds for cooperative research.
 - 581j. Congressional declaration of policy on reforestation and revegetation.
 - 581k. Authorization of appropriations for reforestation and revegetation.
 - 582. Puerto Rico; application of forest protection laws.

SUBCHAPTER III—RESEARCH PROGRAMS

- 582a. Congressional findings.
- 582a-1. Cooperation by Secretary of Agriculture with States; assistance: plans, eligible institutions and amount.
- 582a-2. Authorization of appropriations; other allotments and grants.
- 582a-3. Matching funds; reapportionment to other qualifying institutions; reductions.
- 582a-4. Regulations; advice and assistance; appointment, membership, etc., of council.
 - (a) Regulations and assistance.
 - (b) Advisory council.
- 582a-5. Apportionments; advice, criteria, etc.
- 582a-6. Scope of forestry research.
- 582a-7. "State" defined.
- 582a-8. Competitive forestry, natural resources, and environmental grants program.
 - (a) Establishment.
 - (b) Eligible entities.
 - (c) Use.
 - (d) Facilities and equipment.
 - (e) Recommendations.
 - (f) Term.
 - (g) Authorization of appropriations.

SUBCHAPTER IV—SUSTAINED-YIELD FOREST MANAGEMENT

- 583. Establishment of sustained-yield units to stabilize forest industries, employment, communities and taxable wealth.
- 583a. Cooperative agreements with private owners; privileges of private owners; recordation of agreements.
- 583b. Establishment of sustained-yield units to stabilize sale of timber and forest products.
- 583c. Agreements between Secretaries of Agriculture and the Interior, or with other Federal agencies having jurisdiction over forest land.
- 583d. Notice; registered mail and publication; costs; contents; request for hearing; time; determination and record available for inspection.

- Sec.
583e. Remedies against private owners; jurisdiction; final orders; "owner" defined.
- 583f. "Federally owned or administered forest land" defined.
- 583g. Rules and regulations; delegation of powers and duties.
- 583h. Prior acts as affecting or affected by subchapter.
- 583i. Authorization of appropriations.
- SUBCHAPTER V—FOREST FOUNDATION
- 583j. Establishment and purposes of Foundation.
(a) Establishment.
(b) Purposes.
(c) Limitation and conflicts of interests.
- 583j-1. Board of Directors of Foundation.
(a) Establishment and membership.
(b) Appointment and terms.
(c) Chairman.
(d) Quorum.
(e) Meetings.
(f) Reimbursement of expenses.
(g) General powers.
(h) Officers and employees.
- 583j-2. Corporate powers and obligations.
(a) In general.
(b) Notice and service of process.
(c) Seal.
(d) Powers.
(e) Property.
- 583j-3. Administrative services and support.
(a) Startup funds.
(b) Matching funds.
(c) Administrative expenses.
- 583j-4. Volunteers.
- 583j-5. Audits and report requirements.
(a) Audits.
(b) Annual reports.
- 583j-6. United States release from liability.
- 583j-7. Activities of Foundation and United States Forest Service.
- 583j-8. Authorization of appropriations.
(a) Startup funds.
(b) Matching funds.
- 583j-9. Federal funds.

CROSS REFERENCES

Contracts for sale of forest products, use of national-forest lands, etc., exempt from requirements of section 20 of title 41 where amount involved is less than \$300, see section 20a of Title 41, Public Contracts.

SUBCHAPTER I—GENERAL PROVISIONS

§ 551. Protection of national forests; rules and regulations

The Secretary of Agriculture shall make provisions for the protection against destruction by fire and depredations upon the public forests and national forests which may have been set aside or which may be hereafter set aside under the provisions of section 471¹ of this title, and which may be continued; and he may make such rules and regulations and establish such service as will insure the objects of such reservations, namely, to regulate their occupancy and use and to preserve the forests thereon from destruction; and any violation of the provisions of this section, sections 473 to 478 and 479 to 482 of this title or such rules and regulations shall be punished by a fine of not more than \$500 or imprisonment for not more than six months, or both. Any person charged with the violation of such

rules and regulations may be tried and sentenced by any United States magistrate judge specially designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions as provided for in section 3401(b) to (e) of title 18. (June 4, 1897, ch. 2, § 1, 30 Stat. 35; Feb. 1, 1905, ch. 288, § 1, 33 Stat. 628; Pub. L. 87-869, § 6, Oct. 23, 1962, 76 Stat. 1157; Pub. L. 88-537, Aug. 31, 1964, 78 Stat. 745; Pub. L. 90-578, title IV, § 402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 101-650, title III, § 321, Dec. 1, 1990, 104 Stat. 5117.)

REPEALS

Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.

REFERENCES IN TEXT

Section 471 of this title, referred to in text, was in the original a reference to act Mar. 3, 1891, 26 Stat. 1103, and was repealed by Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792.

CODIFICATION

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

AMENDMENTS

1964—Pub. L. 88-537 provided that persons charged with violation of such rules and regulations may be tried and sentenced by any United States commissioner specially designated for that purpose by the court by which he was appointed, in the same manner as in section 3401(b) to (e) of title 18.

1962—Pub. L. 87-869 substituted "by a fine of not more than \$500 or imprisonment for not more than six months, or both" for "as is provided for in section 104 of title 18".

CHANGE OF NAME

"United States magistrate judge" substituted for "United States magistrate" 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.

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101-286, § 1, May 9, 1990, 104 Stat. 171, provided that: "This Act [enacting sections 551b and 551c of this title, amending sections 18i and 558c of this title and section 1737 of Title 43, Public Lands, and enacting provisions set out as notes under this section and section 551b of this title] may be cited as the 'Wildfire Disaster Recovery Act of 1989'."

SAVINGS PROVISION

Repeal by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, insofar as applicable to the issuance of rights-of-way, 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.

TRANSFER OF FUNCTIONS

Enforcement functions of Secretary or other official in Department of Agriculture, insofar as they involve lands and programs under jurisdiction of that Depart-

¹ See References in Text note below.