

## **VOLUNTEERS IN THE NATIONAL FORESTS ACT OF 1972**

[Public Law 92–300; Approved May 18, 1972]

[As Amended Through P.L. 114–245, Enacted November 28, 2016]

AN ACT To authorize the Secretary of Agriculture to establish a volunteers in the national forests program, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That* [16 U.S.C. 558a] the Secretary of Agriculture (hereinafter referred to as the “Secretary”) is authorized to recruit, train, and accept without regard to the civil service<sup>2</sup> 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.

SEC. 2. [16 U.S.C. 558b] The Secretary is authorized to provide for incidental expenses, such as transportation, uniforms, lodging, and subsistence.

SEC. 3. [16 U.S.C. 558c] (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 of the United States Code, a volunteer under this Act shall be considered a Federal employee.

(c) For the purposes of subchapter I of chapter 81 of title 5 of the United States Code, 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, United States Code, 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 31 U.S.C. 3721 shall apply.

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

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<sup>1</sup>This is the short title of this Act. See section 5.

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(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.

SEC. 4. [16 U.S.C. 558d] There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 5. [16 U.S.C. 558a note] This Act may be cited as the “Volunteers in the National Forests Act of 1972”.