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TITLE 16--CONSERVATION

CHAPTER 3--FORESTS; FOREST SERVICE; REFORESTATION; MANAGEMENT

SUBCHAPTER I--GENERAL PROVISIONS

Sec. 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 471 \1\ 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.

\1\ See References in Text note below.

(June 4, 1897, ch. 2, Sec. 1, 30 Stat. 35; Feb. 1, 1905, ch. 288, Sec. 1, 33 Stat. 628; Pub. L. 87-869, Sec. 6, Oct. 23, 1962, 76 Stat. 1157; Pub. L. 88-537, Aug. 31, 1964, 78 Stat. 745; Pub. L. 90-578, title IV, Sec. 402(b)(2), Oct. 17, 1968, 82 Stat. 1118; Pub. L. 101-650, title III, Sec. 321, Dec. 1, 1990, 104 Stat. 5117.)

Repeals

Section repealed by Pub. L. 94-579, title VII, Sec. 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471 of this title, referred to in text, was in the original a reference to act Mar. 3, 1891, 26 Stat. 1103, and was repealed by Pub.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, Sec. 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 (Sec. 631 et seq.) of Title 28.

Short Title of 1990 Amendment

Pub. L. 101-286, Sec. 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, Sec. 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 Department, related to compliance with provisions of sections 473, 474 to 482, and 551 of this title with respect to pre-construction, construction, and initial operation of transportation system for Canadian and Alaskan natural gas transferred to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, until first anniversary of date of initial operation of Alaska Natural Gas Transportation System, see Reorg. Plan No. 1 of 1979, Secs. 102(f), 203(a), 44 F.R. 33663, 33666, 93 Stat. 1373, 1376, effective July 1, 1979, set out in the Appendix to Title 5, Government Organization and Employees. Office of Federal Inspector for the Alaska Natural Gas Transportation System abolished and functions and authority vested in Inspector transferred to Secretary of Energy by section 3012(b) of Pub. L. 102-486, set out as an Abolition of Office of Federal Inspector note under section 719e of Title 15, Commerce and Trade. Functions and authority vested in Secretary of Energy subsequently transferred to Federal Coordinator for Alaska Natural Gas Transportation Projects by section 720d(f) of Title 15.

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

National Commission on Wildfire Disasters

Pub. L. 101-286, title I, May 9, 1990, 104 Stat. 171, established a National Commission on Wildfire Disasters to study the effects of disastrous wildfires, resulting from natural or other causes, and to make recommendations concerning steps necessary for smooth and timely transition from loss of natural resources due to such fires, directed the Commission to make findings and develop recommendations for consideration by the Secretaries of Agriculture and the Interior with respect to future management of National Forest System lands, national parks, Bureau of Land Management public lands, and community redevelopment activities and programs, directed the Commission to submit to the Secretaries of Agriculture and the Interior, not later than Dec. 1, 1991, a report containing its findings and recommendations, directed the Secretaries to submit the report to specific committees of Congress, and provided for the Commission to cease 90 days after submission of the report.

Existing Rights-of-Way

Provisions of section 706(a) of Pub. L. 94-579, Oct. 21, 1976, 90 Stat. 2793, except as pertaining to rights-of-way, not to be construed as affecting the authority of the Secretary of Agriculture under this section, see note set out under section 1701 of Title 43, Public Lands.