(Pub. L. 91–357, § 3, July 29, 1970, 84 Stat. 472; Pub. L. 101–286, title II, § 204(b), May 9, 1990, 104 Stat. 175.)

REFERENCES IN TEXT

The tort claim provisions of title 28, referred to in subsec. (b), are the provisions of the Federal Tort Claims Act, classified to section 1346(b) and chapter 171 (§ 2671 et seq.) of Title 28, Judiciary and Judicial Procedure.

AMENDMENTS

1990—Subsec. (d). Pub. L. 101–286 added subsec. (d).

§ 18j. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter, but not more than $3,500,000 shall be appropriated in any one year.

(Pub. L. 91–357, § 4, July 29, 1970, 84 Stat. 472; Pub. L. 94–128, Nov. 13, 1975, 89 Stat. 682; Pub. L. 98–540, § 1(a), Oct. 24, 1984, 98 Stat. 2718; Pub. L. 104–333, div. I, title VIII, § 805, Nov. 12, 1996, 110 Stat. 4188.)

AMENDMENTS

1996—Pub. L. 104–333 substituted ''$3,500,000'' for ''$1,000,000''.

1984—Pub. L. 98–540 substituted ''$1,000,000'' for ''$250,000''.

1975—Pub. L. 94–128 substituted ''$250,000'' for ''$100,000''.

EFFECTIVE DATE OF 1984 AMENDMENT

Section 1(a) of Pub. L. 98–540 provided in part that: ''The amendment made by this subsection [amending this section] shall apply with respect to fiscal years beginning after September 30, 1984.''

SUBCHAPTER III—NATIONAL PARK FOUNDATION

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 3710 of this title.

§§ 19 to 19c. Repealed. Pub. L. 90–209, § 2, Dec. 18, 1967, 81 Stat. 656

Sections, act July 10, 1935, ch. 375, §§ 1–3, 5, 49 Stat. 477, 478, related to: creation of National Park Trust Fund Board, its composition, conduct of business, and compensation; authority to accept and administer gifts, disposition of income, and limitations thereof; succession, powers as trustee, and jurisdiction of suits; and exemption of gifts from taxation, respectively. See sections 19e to 19n of this title.

§ 19d. Repealed. Aug. 30, 1954, ch. 1076, § 1(25), 68 Stat. 968

Section, act July 10, 1935, ch. 375, § 6, 49 Stat. 478, required the National Park Trust Fund Board to submit an annual report to Congress of the moneys or securities received and held by it, and of its operations.

§ 19e. Congressional statement of purpose; establishment of Foundation

In order to encourage private gifts of real and personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans, there is hereby established a charitable and nonprofit corporation to be known as the National Park Foundation to accept and administer such gifts.

(Pub. L. 90–209, § 1, Dec. 18, 1967, 81 Stat. 656.)

SHORT TITLE

Pub. L. 90–209, which enacted this subchapter, is popularly known as the ''National Park Foundation Act''.

§ 19f. Board: membership, term of office, vacancies, Chairman, Secretary, non-Federal office, quorum, seal, meetings, compensation, traveling and subsistence expenses; Foundation as successor to right, title, and interest of National Park Trust Fund Board in property or funds; abolition and repeal of National Park Trust Fund and Board provisions

The National Park Foundation shall consist of a Board having as members the Secretary of the Interior, the Director of the National Park Service, ex officio, and no less than six private citizens of the United States appointed by the Secretary of the Interior whose initial terms shall be staggered to assure continuity of administration. Thereafter, the term shall be six years, unless a successor is chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was chosen, in which event the successor shall be chosen only for the remainder of that term. The Secretary of the Interior shall be the Chairman of the Board and the Director of the National Park Service shall be the Secretary of the Board. Membership on the Board shall not be deemed to be an office within the meaning of the statutes of the United States. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business, and the Foundation shall have an official seal, which shall be judicially noticed. The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

No compensation shall be paid to the members of the Board for their services as members, but they shall be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as such members out of National Park Foundation funds available to the Board for such purposes. The Foundation shall succeed to all right, title, and interest of the National Park Trust Fund Board established in any property or funds, including the National Park Trust Fund, subject to the terms and conditions thereof. The National Park Trust Fund is hereby abolished, and the Act of July 10, 1935 (49 Stat. 477), as amended, is hereby repealed.

(Pub. L. 90–209, § 2, Dec. 18, 1967, 81 Stat. 656.)

REFERENCES IN TEXT

Act of July 10, 1935 (49 Stat. 477), as amended, referred to in text, prior to its repeal by Pub. L. 90–209, § 2, Dec. 18, 1967, 81 Stat. 656, was classified to sections 6a and 19 to 19d of this title.

§ 19g. Gifts, devises, or bequests; restriction; real property interests; property with encumbrances, restrictions, or subject to beneficial interests of private persons

The Foundation is authorized to accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust of real or personal property or any income therefrom or other interest therein for the benefit of or in connection with, the National Park Service, its activities, or its services: *Provided*, That the Foundation may not accept any such gift, devise, or bequest which entails any expenditure other than from the resources of the Foundation. An interest in the real property includes, among other things, easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the National Park Service, its activities, or its services.

(Pub. L. 90–209, § 3, Dec. 18, 1967, 81 Stat. 656.)

§ 19h. Property and income dealings and transactions; prohibition of engagement in business; trust company type of investments; utilization of services and facilities of Federal agencies without reimbursement; transfer instrument requirements and investments

Except as otherwise required by the instrument of transfer, the Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income thereof as the Board may from time to time determine. The Foundation shall not engage in any business, nor shall the Foundation make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation. The Foundation may utilize the services and facilities of the Department of the Interior and the Department of Justice, and such services and facilities may be made available on request to the extent practicable with or without reimbursement therefor. Monies reimbursed to either Department shall be returned by the Department to the account from which the funds for which the reimbursement is made were drawn and may, without further appropriation, be expended for any purpose for which such account is authorized.

(Pub. L. 90–209, § 4, Dec. 18, 1967, 81 Stat. 656; Pub. L. 106–176, title III, § 305, Mar. 10, 2000, 114 Stat. 33.)

AMENDMENTS

2000—Pub. L. 106–176 inserted "with or" before "without" and inserted at end "Monies reimbursed to either Department shall be returned by the Department to the account from which the funds for which the reimbursement is made were drawn and may, without further appropriation, be expended for any purpose for which such account is authorized."

§ 19i. Corporate succession; powers and duties of trustee; suits; personal liability for malfeasance

The Foundation shall have perpetual succession, with all the usual powers and obligations of a corporation acting as a trustee, including the power to sue and to be sued in its own name, but the members of the Board shall not be personally liable, except for malfeasance.

(Pub. L. 90–209, § 5, Dec. 18, 1967, 81 Stat. 657.)

§ 19j. Authority for execution of contracts, instruments, and necessary or appropriate acts

The Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

(Pub. L. 90–209, § 6, Dec. 18, 1967, 81 Stat. 657.)

§ 19k. Bylaws, rules, and regulations; contracts for services

In carrying out the provisions of this subchapter, the Board may adopt bylaws, rules, and regulations necessary for the administration of its functions and contract for any necessary services.

(Pub. L. 90–209, § 7, Dec. 18, 1967, 81 Stat. 657.)

§ 19*l*. Tax exemptions; contributions toward costs of local government; contributions, gifts, or transfers to or for use of United States

The Foundation and any income or property received or owned by it, and all transactions relating to such income or property, shall be exempt from all Federal, State, and local taxation with respect thereto. The Foundation may, however, in the discretion of its directors, contribute toward the costs of local government in amounts not in excess of those which it would be obligated to pay such government if it were not exempt from taxation by virtue of the foregoing or by virtue of its being a charitable and nonprofit corporation and may agree so to contribute with respect to property transferred to it and the income derived therefrom if such agreement is a condition of the transfer. Contributions, gifts, and other transfers made to or for the use of the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States.

(Pub. L. 90–209, § 8, Dec. 18, 1967, 81 Stat. 657.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 26 section 2055.

§ 19m. Liability of United States

The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation.

(Pub. L. 90–209, § 9, Dec. 18, 1967, 81 Stat. 657.)

§ 19n. Omitted

CODIFICATION

Section, Pub. L. 90–209, § 10, Dec. 18, 1967, 81 Stat. 657, which required the National Park Foundation to transmit to Congress an annual report of its proceedings and activities, including a full and complete statement of