

(B) Income**(i) In general**

All revenue received by the Foundation from the use, licensing, or transfer of symbols, slogans, and logos of the Foundation shall be transferred to the Secretary.

(ii) Conservation operations

The Secretary shall transfer all revenue received under clause (i) to the account within the Natural Resources Conservation Service that is used to carry out conservation operations.

(Pub. L. 104-127, title III, §356, Apr. 4, 1996, 110 Stat. 1013; Pub. L. 107-171, title II, §2506, May 13, 2002, 116 Stat. 274.)

AMENDMENTS

2002—Subsec. (c)(4) to (8). Pub. L. 107-171, §2506(1), which directed amendment of subsection (c) of section 356 of the Federal Agriculture Improvement Act of 1996 by adding par. (4) and redesignating former pars. (4) to (7) as (5) to (8), respectively, was executed to subsec. (c) of this section, which is section 356 of the Federal Agriculture Improvement and Reform Act of 1996, to reflect the probable intent of Congress.

Subsec. (d)(3). Pub. L. 107-171, §2506(2), which directed amendment of subsection (d) of section 356 of the Federal Agriculture Improvement Act of 1996 by adding par. (3), was executed to subsec. (d) of this section, which is section 356 of the Federal Agriculture Improvement and Reform Act of 1996, to reflect the probable intent of Congress.

§ 5806. Administrative services and support

For each of fiscal years 1996 through 1998, the Secretary may provide, without reimbursement, personnel, facilities, and other administrative services of the Department to the Foundation.

(Pub. L. 104-127, title III, §357, Apr. 4, 1996, 110 Stat. 1014.)

§ 5807. Audits and petition of Attorney General for equitable relief**(a) Audits****(1) In general**

The accounts of the Foundation shall be audited in accordance with section 10101 of title 36, including an audit of lobbying and litigation activities carried out by the Foundation.

(2) Repealed. Pub. L. 105-225, § 6(b), Aug. 12, 1998, 112 Stat. 1499

(b) Relief with respect to certain Foundation acts or failure to act

The Attorney General may petition in the United States District Court for the District of Columbia for such equitable relief as may be necessary or appropriate, if the Foundation—

(1) engages in, or threatens to engage in, any act, practice, or policy that is inconsistent with this chapter; or

(2) refuses, fails, neglects, or threatens to refuse, fail, or neglect, to discharge the obligations of the Foundation under this chapter.

(Pub. L. 104-127, title III, §358, Apr. 4, 1996, 110 Stat. 1014; Pub. L. 105-225, §6(b), Aug. 12, 1998, 112 Stat. 1499.)

CODIFICATION

“Section 10101 of title 36” substituted in subsec. (a)(1) for “Public Law 88-504 (36 U.S.C. 1101 et seq.)” on au-

thority of Pub. L. 105-225, §5(b), Aug. 12, 1998, 112 Stat. 1499, the first section of which enacted Title 36, Patriotic and National Observances, Ceremonies, and Organizations.

AMENDMENTS

1998—Subsec. (a)(2). Pub. L. 105-225 repealed par. (2) which amended section 1101(77) of former title 36.

§ 5808. Release from liability**(a) In general**

The United States shall not be liable for any debt, default, act, or omission of the Foundation. The full faith and credit of the United States shall not extend to the Foundation.

(b) Statement

An obligation issued by the Foundation, and a document offering an obligation, shall include a prominent statement that the obligation is not directly or indirectly guaranteed, in whole or in part, by the United States (or an agency or instrumentality of the United States).

(Pub. L. 104-127, title III, §359, Apr. 4, 1996, 110 Stat. 1014.)

§ 5809. Authorization of appropriations

There are authorized to be appropriated to the Department to be made available to the Foundation \$1,000,000 for each of fiscal years 1997 through 1999 to initially establish and carry out activities of the Foundation.

(Pub. L. 104-127, title III, §360, Apr. 4, 1996, 110 Stat. 1014.)

CHAPTER 79—NATIONAL PARK SERVICE MANAGEMENT

Sec.

5901. “Secretary” defined.

SUBCHAPTER I—NATIONAL PARK SERVICE CAREER DEVELOPMENT, TRAINING, AND MANAGEMENT

5911. Protection, interpretation, and research in National Park System.
5912. National Park Service employee training.
5913. Management development and training.
5914. Park budgets and accountability.
- (a) Strategic and performance plans for each unit.
- (b) Annual budget for each unit.

SUBCHAPTER II—NATIONAL PARK SYSTEM RESOURCE INVENTORY AND MANAGEMENT

5931. Purposes.
5932. Research mandate.
5933. Cooperative agreements.
- (a) Cooperative study units.
- (b) Report.
5934. Inventory and monitoring program.
5935. Availability for scientific study.
- (a) In general.
- (b) Criteria.
- (c) Fee waiver.
- (d) Negotiations.
5936. Integration of study results into management decisions.
5937. Confidentiality of information.

SUBCHAPTER III—NATIONAL PARK SERVICE CONCESSIONS MANAGEMENT

5951. Congressional findings and statement of policy.
- (a) Findings.

- Sec.
- (b) Policy.
 - 5952. Award of concessions contracts.
 - 5953. Term of concessions contracts.
 - 5954. Protection of concessioner investment.
 - (a) Leasehold surrender interest under new concessions contracts.
 - (b) Special rule for existing possessory interest.
 - (c) Transition to successor concessioner.
 - (d) Title to improvements.
 - (e) Definitions.
 - (f) Special reporting requirement.
 - 5955. Reasonableness of rates.
 - (a) In general.
 - (b) Approval by Secretary required.
 - (c) Implementation of recommendations.
 - 5956. Franchise fees.
 - (a) In general.
 - (b) Amount of franchise fee.
 - (c) Special account.
 - (d) Subaccount for each unit.
 - 5957. Transfer of concessions contracts.
 - (a) Approval of Secretary.
 - (b) Conditions.
 - (c) Transfer terms.
 - 5958. National Park Service Concessions Management Advisory Board.
 - (a) Establishment.
 - (b) Duties.
 - (c) Advisory Board membership.
 - (d) Termination.
 - (e) Service on Advisory Board.
 - 5959. Contracting for services.
 - (a) Contracting authorized.
 - (b) Other management elements.
 - (c) Condition.
 - 5960. Multiple contracts within park.
 - 5961. Special rule for transportation contracting services.
 - (a) In general.
 - (b) Obligation of funds.
 - 5962. Use of nonmonetary consideration in concessions contracts.
 - 5963. Recordkeeping requirements.
 - (a) In general.
 - (b) Access to records.
 - 5964. Promotion of sale of Indian, Alaska Native, Native Samoan, and Native Hawaiian handicrafts.
 - (a) In general.
 - (b) Exemption from franchise fee.
 - 5965. Regulations.
 - 5966. Commercial use authorizations.
 - (a) In general.
 - (b) Criteria for issuance of authorizations.
 - (c) Limitations.
 - (d) Prohibition on construction.
 - (e) Duration.
 - (f) Other contracts.
- SUBCHAPTER IV—FEES FOR USE OF NATIONAL PARK SYSTEM
- 5981. Fees.
 - 5982. Distribution of Golden Eagle Passport sales.
- SUBCHAPTER V—NATIONAL PARK PASSPORT PROGRAM
- 5991. Purposes.
 - 5992. National park passport program.
 - (a) Program.
 - (b) Effective period.
 - (c) Transferability.
 - 5993. Administration.
 - (a) Stamp design competition.
 - (b) Sale of passports and stamps.
 - (c) Use of proceeds.
 - (d) Agreements.
 - (e) Fee.

- Sec.
- 5994. Foreign sales of Golden Eagle Passports.
 - 5995. Effect on other laws and programs.
 - (a) Park passport not required.
 - (b) Golden Eagle Passports.
 - (c) Access.
 - (d) Limitations.
 - (e) Exemptions and fees.
- SUBCHAPTER VI—MISCELLANEOUS PROVISIONS
- 6011. United States Park Police.
 - (a) Appointment of task force.
 - (b) Submission of report.

§ 5901. “Secretary” defined

As used in this chapter, the term “Secretary” means the Secretary of the Interior, except as otherwise specifically provided.

(Pub. L. 105–391, § 2, Nov. 13, 1998, 112 Stat. 3498.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 105–391, Nov. 13, 1998, 112 Stat. 3497, known as the National Parks Omnibus Management Act of 1998. For complete classification of this Act to the Code, see Short Title note below and Tables.

SHORT TITLE

Pub. L. 105–391, § 1(a), Nov. 13, 1998, 112 Stat. 3497, provided that: “This Act [enacting this chapter and section 190 of this title, amending sections 1a–2, 1a–5, 1a–7, and 3 of this title, repealing section 17b–1 and subchapter IV of chapter 1 of this title, and enacting provisions set out as notes under this section and sections 1, 1a–5, 20, 470h–3, and 5951 of this title] may be cited as the ‘National Parks Omnibus Management Act of 1998’.”

Pub. L. 105–391, title IV, § 401, Nov. 13, 1998, 112 Stat. 3503, provided that: “This title [enacting subchapter III of this chapter, amending sections 1a–7 and 3 of this title, repealing section 17b–1 and subchapter IV of chapter 1 of this title, and enacting provisions set out as a note under section 20 of this title] may be cited as the ‘National Park Service Concessions Management Improvement Act of 1998’.”

SUBCHAPTER I—NATIONAL PARK SERVICE CAREER DEVELOPMENT, TRAINING, AND MANAGEMENT

§ 5911. Protection, interpretation, and research in National Park System

Recognizing the ever increasing societal pressures being placed upon America’s unique natural and cultural resources contained in the National Park System, the Secretary shall continually improve the ability of the National Park Service to provide state-of-the-art management, protection, and interpretation of and research on the resources of the National Park System.

(Pub. L. 105–391, title I, § 101, Nov. 13, 1998, 112 Stat. 3498.)

§ 5912. National Park Service employee training

The Secretary shall develop a comprehensive training program for employees in all professional careers in the work force of the National Park Service for the purpose of assuring that the work force has available the best, up-to-date knowledge, skills and abilities with which to manage, interpret and protect the resources of the National Park System.

(Pub. L. 105–391, title I, § 102, Nov. 13, 1998, 112 Stat. 3498.)