accordance with any agreement with Canada regarding management of salmon stocks originating from the Yukon River in Canada, the Panel may make recommendations concerning the conservation and management of salmon originating in the Yukon River to the Department of the Interior, the Department of Commerce, the Department of State, the North Pacific Fishery Management Council, and other Federal or State entities as appropriate. Recommendations by the Panel shall be advisory in nature.


§ 5725. Administrative matters

(a) Compensation

Panel members and alternate Panel members who are not State or Federal employees shall receive compensation at the daily rate of GS–15 of the General Schedule when engaged in the actual performance of duties.

(b) Travel and other necessary expenses

Travel and other necessary expenses shall be paid by the Secretary of the Interior for all Panel members, alternate Panel members, and members of any advisory committee established under section 5722 of this title when engaged in the actual performance of duties.

(c) Treatment as Federal employees

Except for officials of the United States Government, all Panel members, alternate Panel members, and members of any advisory committee established under section 5722 of this title shall not be considered to be Federal employees while engaged in the actual performance of duties, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5 and chapter 71 of title 8.


REFERENCES IN TEXT


§ 5726. Yukon River salmon stock restoration and enhancement projects

(a) In general

The Secretary of the Interior, in consultation with the Secretary of Commerce, may carry out projects to restore or enhance salmon stocks originating from the Yukon River in Canada and the United States.

(b) Cooperation with Canada

If there is in effect an agreement between the Government of the United States and the Government of Canada for the conservation of salmon stocks originating from the Yukon River in Canada that includes provisions governing projects authorized under this section, then—

(1) projects under this section shall be carried out in accordance with that agreement; and

(2) amounts available for projects under this section—

(A) shall be expended in accordance with the agreement; and

(B) may be deposited in any joint account established by the agreement to fund such projects.


§ 5727. Authorization of appropriations

There are authorized to be appropriated to the Secretary of the Interior to carry out this subchapter $4,000,000 for each of fiscal years 2007 through 2011 of which—

(1) such sums as are necessary shall be available each fiscal year for travel expenses of Panel members, alternate Panel members, United States members of the Joint Technical Committee established by paragraph C.2 of the memorandum of understanding concerning the Pacific Salmon Treaty between the Government of the United States and the Government of Canada (recorded January 29, 1965), and members of an advisory committee established and appointed under section 5722 of this title, in accordance with Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5;

(2) such sums as are necessary shall be available for the United States share of expenses incurred by the Joint Technical Committee and any panel established by any agreement between the Government of the United States and the Government of Canada for restoration and enhancement of salmon originating in Canada;

(3) up to $3,000,000 shall be available each fiscal year for activities by the Department of the Interior and the Department of Commerce for survey, restoration, and enhancement activities related to salmon stocks originating from the Yukon River in Canada, of which up to $1,200,000 shall be available each fiscal year for Yukon River salmon stock restoration and enhancement projects under section 5726(b) of this title; and

(4) $600,000 shall be available each fiscal year for cooperative salmon research and management projects in the portion of the Yukon River drainage located in the United States that are recommended by the Panel.


AMENDMENTS

2007—Pub. L. 109–479 substituted “$1,200,000” for “$1,000,000”.

2004—Pub. L. 108–219 substituted “$4,000,000 for each fiscal years 2007 through 2011” for “$1,000,000 for each fiscal years 2004 through 2008”.


CHAPTER 78—NATIONAL NATURAL RESOURCES CONSERVATION FOUNDATION

Sec. 5801. Definitions.

5802. National Natural Resources Conservation Foundation.

5803. Composition and operation.

5804. Officers and employees.
that: "This subtitle [subtitle F (§§ 351–360) of title III of Observances] may be cited as the 'National Natural Resources Conservation Act'.'"

(b) Duties

The term "Department" means the Department of Agriculture.

(3) Foundation

The term "Foundation" means the National Natural Resources Conservation Foundation established by section 5802(a) of this title.

(4) Secretary

The term "Secretary" means the Secretary of Agriculture.


§ 5802. National Natural Resources Conservation Foundation

(a) Establishment

A National Natural Resources Conservation Foundation is established as a charitable and nonprofit corporation for charitable, scientific, and educational purposes specified in subsection (b) of this section. The Foundation is not an agency or instrumentality of the United States.

(b) Duties

The Foundation shall—

(1) promote innovative solutions to the problems associated with the conservation of natural resources on private lands, particularly with respect to agriculture and soil and water conservation;

(2) promote voluntary partnerships between government and private interests in the conservation of natural resources;

(3) conduct research and undertake educational activities, conduct and support demonstration projects, and make grants to State and local agencies and nonprofit organizations;

(4) provide such other leadership and support as may be necessary to address conservation challenges, such as the prevention of excessive soil erosion, the enhancement of soil and water quality, and the protection of wetlands, wildlife habitat, and strategically important farmland subject to urban conversion and fragmentation;

(5) encourage, accept, and administer private gifts of money and real and personal property for the benefit of, or in connection with, the conservation and related activities and services of the Department, particularly the Natural Resources Conservation Service;

(6) undertake, conduct, and encourage educational, technical, and other assistance, and other activities, that support the conservation and related programs administered by the Department (other than activities carried out on National Forest System lands), particularly the Natural Resources Conservation Service, except that the Foundation may not enforce or administer a regulation of the Department; and

(7) raise private funds to promote the purposes of the Foundation.

(c) Limitations and conflicts of interest

(1) Political activities

The Foundation shall not participate or intervene in a political campaign on behalf of any candidate for public office.

(2) Conflicts of interest

No director, officer, or employee of the Foundation shall participate, directly or indirectly, in the consideration or determination of any question before the Foundation affecting—

(A) the financial interests of the director, officer, or employee; or

(B) the interests of any corporation, partnership, entity, organization, or other person in which the director, officer, or employee—

(i) is an officer, director, or trustee; or

(ii) has any direct or indirect financial interest.

(3) Legislation or government action or policy

No funds of the Foundation may be used in any manner for the purpose of influencing legislation or government action or policy.

(4) Litigation

No funds of the Foundation may be used to bring or join an action against the United States.


§ 5803. Composition and operation

(a) Composition

The Foundation shall be administered by a Board of Trustees that shall consist of 9 voting members, each of whom shall be a United States citizen and not a Federal officer. The Board shall be composed of—

(1) individuals with expertise in agricultural conservation policy matters;

(2) a representative of private sector organizations with a demonstrable interest in natural resources conservation;

(3) a representative of statewide conservation organizations;

(4) a representative of soil and water conservation districts;

(5) a representative of organizations outside the Federal Government that are dedicated to natural resources conservation education; and
§ 5804 Officer and employees

(a) In general

The Board may—

(1) appoint, hire, and discharge the officers and employees of the Foundation, other than appoint the initial Executive Director of the Foundation;

(2) adopt a constitution and bylaws for the Foundation that are consistent with the purposes of this chapter; and

(3) undertake any other activities that may be necessary to carry out this chapter.

(b) Officers and employees

(1) Appointment and hiring

An officer or employee of the Foundation—

(A) shall not, by virtue of the appointment or employment of the officer or employee, be considered a Federal employee for any purpose, including the provisions of title 5 governing appointments in the competitive service, except that such an individual may participate in the Federal employee retirement system as if the individual were a Federal employee; and

(B) may not be paid by the Foundation a salary in excess of $125,000 per year.

(2) Executive Director

(A) Initial Director

The Secretary shall appoint an individual to serve as the initial Executive Director of the Foundation who shall serve, at the direction of the Board, as the chief operating officer of the Foundation.

(B) Subsequent Directors

The Board shall appoint each subsequent Executive Director of the Foundation who shall serve, at the direction of the Board, as the chief operating officer of the Foundation.

(C) Qualifications

The Executive Director shall be knowledgeable and experienced in matters relating to natural resources conservation.


§ 5805 Corporate powers and obligations of Foundation

(a) In general

The Foundation—

(1) may conduct business throughout the United States and the territories and possessions of the United States; and

(2) shall at all times maintain a designated agent who is authorized to accept service of process for the Foundation, so that the serving of notice to, or service of process on, the agent, or mailed to the business address of the agent, shall be considered as service on or notice to the Foundation.

(b) Seal

The Foundation shall have an official seal selected by the Board that shall be judicially noticed.

(c) Powers

To carry out the purposes of the Foundation under section 5802(b) of this title, the Foundation shall have, in addition to the powers other-
wise provided under this chapter, the usual powers of a corporation, including the power—
(1) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, of real or personal property or any income from, or other interest in, the gift, devise, or bequest;
(2) to acquire by purchase or exchange any real or personal property or interest in property, except that funds provided under section 5809 of this title may not be used to purchase an interest in real property;
(3) unless otherwise required by instrument of transfer, to sell, donate, lease, invest, reinvest, retain, or otherwise dispose of any property or income from property;
(4) on the written approval of the Secretary, to use, license, or transfer symbols, slogans, and logos of the Foundation (exclusive of any symbol or logo of a governmental entity);
(5) to borrow money from private sources and issue bonds, debentures, or other debt instruments, subject to section 5808 of this title, except that the aggregate amount of the borrowing and debt instruments outstanding at any time may not exceed $1,000,000;
(6) to sue and be sued, and complain and defend itself, in any court of competent jurisdiction, except that a member of the Board shall not be personally liable for an action in the performance of services for the Board, except for gross negligence;
(7) to enter into a contract or other agreement with an agency of State or local government, educational institution, or other private organization or person and to make such payments as may be necessary to carry out the purposes of the Foundation; and
(8) to do any and all acts that are necessary to carry out the purposes of the Foundation.

(d) Interests in property
(1) Interests in real property
The Foundation may acquire, hold, and dispose of lands, waters, or other interests in real property by donation, gift, devise, purchase, or exchange. An interest in real property shall be treated, among other things, as including an easement or other right for the preservation, conservation, protection, or enhancement of agricultural, natural, scenic, historic, scientific, educational, inspirational, or recreational resources.

(2) Gifts
A gift, devise, or bequest may be accepted by the Foundation even though the gift, devise, or bequest is encumbered, restricted, or subject to a beneficial interest of a private person if any current or future interest in the gift, devise, or bequest is for the benefit of the Foundation.

(3) Use of symbols, slogans, and logos of the Foundation
(A) In general
The Secretary may authorize the Foundation to use, license, or transfer symbols, slogans, and logos of the Foundation.

(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.


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 and Reform 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.


§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.


(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.


CODIFICATION
§ 5908. 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.)

§ 5909. 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.

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5961. Fees.
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5991 to 5995. Repealed.

SUBCHAPTER VI—MISCELLANEOUS PROVISIONS

6011. United States Park Police.

§ 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 sections 19c 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 9611 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. 3563, 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