

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.

**(h) Contractual power**

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.

**(i) Administration**

**(1) In general**

In carrying out the provisions of this section, the Board may adopt bylaws, rules, and regulations necessary for the administration of its functions and may hire officers and employees and contract for any other necessary services. Such officers and employees shall be appointed without regard to the provisions of title 5 governing appointments in the competitive service and may be paid without regard to the provisions of chapters 51 and 53 of such title relating to classification and General Schedule pay rates.

**(2) Services**

The Secretary of Commerce may accept the voluntary and uncompensated services of the Foundation, the Board, and the officers and employees of the Foundation in the performance of the functions authorized under this section, without regard to section 1342 of title 31 or the civil service classification laws, rules, or regulations.

**(3) Construction**

Neither an officer or employee hired under paragraph (1) nor an individual who provides services under paragraph (2) shall be considered a Federal employee for any purpose other than for purposes of chapter 81 of title 5, relating to compensation for work injuries, and chapter 171 of title 28, relating to tort claims.

**(j) Exemption from taxes; contributions**

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 the Board, 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 this subsection 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.

**(k) Liability of United States**

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

**(l) Annual report**

The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to the

Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives an annual report of its proceedings and activities, including a full and complete statement of its receipts, expenditures, and investments.

**(m) Definitions**

As used in this section—

(1) the term “Indian reservation” has the meaning given the term “reservation” in section 1452(d) of title 25;

(2) the term “Indian tribe” has the meaning given that term in section 450b(e) of title 25;

(3) the term “local government” has the meaning given that term in section 3371(2) of title 5; and

(4) the term “rural tourism” has the meaning given that term by the Secretary of Commerce and shall include activities related to travel and tourism that occur on Federal recreational sites, on Indian reservations, and in the territories, possessions, and commonwealths of the United States.

(Pub. L. 102-372, § 4, Sept. 30, 1992, 106 Stat. 1171; Pub. L. 104-288, § 9(b), Oct. 11, 1996, 110 Stat. 3407.)

CODIFICATION

Section is comprised of section 4 of Pub. L. 102-372. Subsec. (m) of section 4 of Pub. L. 102-372 amended section 2123(a) of this title.

Section was enacted as part of the Tourism Policy and Export Promotion Act of 1992, and not as part of the International Travel Act of 1961 which comprises this chapter.

AMENDMENTS

1996—Subsec. (c)(1)(B)(i), (2). Pub. L. 104-288 substituted “Secretary of Commerce” for “Under Secretary of Commerce for Travel and Tourism”.

CHANGE OF NAME

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2. The Congress. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

**§ 2125. Transferred**

CODIFICATION

Section, Pub. L. 87-63, title II, § 203, formerly § 5, June 29, 1961, 75 Stat. 130, which related to annual reports to the President and Congress, was renumbered by Pub. L. 97-63, § 3(e), Oct. 16, 1981, 95 Stat. 1013, transferred to section 2123a of this title, and subsequently repealed by Pub. L. 102-372, § 8(a), Sept. 30, 1992, 106 Stat. 1177.

**§§ 2126 to 2129. Repealed. Pub. L. 104-288, § 9(a), Oct. 11, 1996, 110 Stat. 3407**

Section 2126, Pub. L. 87-63, title III, § 304, formerly § 6, June 29, 1961, 75 Stat. 130; Pub. L. 91-477, § 4, Oct. 21, 1970, 84 Stat. 1072; Pub. L. 93-193, § 1(a), Dec. 19, 1973, 87 Stat. 765; Pub. L. 94-55, § 1, July 9, 1975, 89 Stat. 262; Pub. L. 96-85, § 1, Oct. 10, 1979, 93 Stat. 655; renumbered