

(2) Convey museum objects and museum collections that the Secretary determines are no longer needed for museum purposes, without monetary consideration but subject to such terms and conditions as the Secretary deems necessary, to private institutions exempt from Federal taxation under section 501(c)(3) of title 26 and to non-Federal governmental entities if the Secretary determines that the recipient is dedicated to the preservation and interpretation of natural or cultural heritage and is qualified to manage the property, prior to any conveyance under this subsection.

(3) Destroy or cause to be destroyed museum objects and museum collections that the Secretary determines to have no scientific, cultural, historic, educational, esthetic, or monetary value.

(b) Review and approval

The Secretary shall ensure that museum collections are treated in a careful and deliberate manner that protects the public interest. Prior to taking any action under subsection (a) of this section, the Secretary shall establish a systematic review and approval process, including consultation with appropriate experts, that meets the highest standards of the museum profession for all actions taken under this section.

(July 1, 1955, ch. 259, §2, as added Pub. L. 104-333, div. I, title VIII, §804(a)(2), Nov. 12, 1996, 110 Stat. 4187.)

§ 18f-3. Application and definitions

(a) Application

Authorities in this section and sections 18f and 18f-2 of this title shall be available to the Secretary of the Interior with regard to museum objects and museum collections that were under the administrative jurisdiction of the Secretary for the purposes of the National Park System before November 12, 1996, as well as those museum objects and museum collections that may be acquired on or after November 12, 1996.

(b) Definitions

For the purposes of this section and sections 18f and 18f-2 of this title, the terms “museum objects” and “museum collections” mean objects that are eligible to be or are made part of a museum, library, or archive collection through a formal procedure, such as accessioning. Such objects are usually movable and include but are not limited to prehistoric and historic artifacts, works of art, books, documents, photographs, and natural history specimens.

(July 1, 1955, ch. 259, §3, as added Pub. L. 104-333, div. I, title VIII, §804(b), Nov. 12, 1996, 110 Stat. 4188.)

SUBCHAPTER II—VOLUNTEERS IN PARKS PROGRAM

§ 18g. Creation of program

The Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to recruit, train, and accept without regard to the civil service classification laws, rules, or regulations the services of individuals without compensation as volunteers for or in aid of interpre-

tive functions, or other visitor services or activities in and related to areas administered by the Secretary through the National Park Service. In accepting such services of individuals or volunteers, the Secretary shall not permit the use of volunteers in hazardous duty or law enforcement work or in policymaking processes, or to displace any employee: *Provided*, That the services of individuals whom the Secretary determines are skilled in performing hazardous activities may be accepted.

(Pub. L. 91-357, §1, July 29, 1970, 84 Stat. 472; Pub. L. 98-540, §1(b), Oct. 24, 1984, 98 Stat. 2718.)

AMENDMENTS

1984—Pub. L. 98-540 restricted the activities of volunteers except in the case of skilled individuals.

SHORT TITLE

Pub. L. 91-357, §5, July 29, 1970, 84 Stat. 472, provided that: “This Act [enacting this subchapter] may be cited as the ‘Volunteers in the Parks Act of 1969’.”

§ 18h. Incidental expenses

The Secretary is authorized to provide for incidental expenses, such as transportation, uniforms, lodging, and subsistence.

(Pub. L. 91-357, §2, July 29, 1970, 84 Stat. 472.)

§ 18i. Federal employee status for volunteers

(a) Employment status of volunteers

Except as otherwise provided in this section, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(b) Tort claims

For the purpose of the tort claim provisions of title 28, a volunteer under this subchapter shall be considered a Federal employee.

(c) Civil employees

For the purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, volunteers under this subchapter shall be deemed civil employees of the United States within the meaning of the term “employee” as defined in section 8101 of title 5, and the provisions of that subchapter shall apply.

(d) Compensation for losses and damages

For the purpose of claims relating to damage to, or loss of, personal property of a volunteer incident to volunteer service, a volunteer under this subchapter shall be considered a Federal employee, and the provisions of section 3721 of title 31 shall apply.

(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.)

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 pro-

visions 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

Pub. L. 98-540, § 1(a), Oct. 24, 1984, 98 Stat. 2718, 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

§§ 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.