

ernment 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.

(Pub. L. 106-450, title II, §207, Nov. 7, 2000, 114 Stat. 1944.)

§ 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 28, 1985), 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.

(Pub. L. 106-450, title II, §208, Nov. 7, 2000, 114 Stat. 1944; Pub. L. 108-219, title III, §303, Apr. 13, 2004, 118 Stat. 616; Pub. L. 109-479, title III, §302(b), Jan. 12, 2007, 120 Stat. 3623.)

AMENDMENTS

2007—Pub. L. 109-479 substituted “\$4,000,000 for each of fiscal years 2007 through 2011” for “\$4,000,000 for each of fiscal years 2004 through 2008.”

2004—Pub. L. 108-219 substituted “2004 through 2008” for “2000, 2001, 2002, and 2003” in introductory provisions.

CHAPTER 78—NATIONAL NATURAL RESOURCES CONSERVATION FOUNDATION

Sec.	Definitions.
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§ 5801. Definitions

In this chapter (unless the context otherwise requires):

(1) Board

The term “Board” means the Board of Trustees established under section 5803 of this title.

(2) Department

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.

(Pub. L. 104-127, title III, §352, Apr. 4, 1996, 110 Stat. 1010.)

SHORT TITLE

Pub. L. 104-127, title III, §351, Apr. 4, 1996, 110 Stat. 1010, provided that: “This subtitle [subtitle F (§§351-360) of title III of Pub. L. 104-127, enacting this chapter and amending section 1101 of [former] Title 36, Patriotic Societies and Observances] may be cited as the ‘National Natural Resources Conservation Foundation Act’.”

§ 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.

(Pub. L. 104-127, title III, §353, Apr. 4, 1996, 110 Stat. 1010.)

§ 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

(6) a farmer or rancher.

(b) Nongovernmental employees

Service as a member of the Board shall not constitute employment by, or the holding of, an office of the United States for the purposes of any Federal law.

(c) Membership

(1) Initial members

The Secretary shall appoint 9 persons who meet the criteria established under subsection (a) of this section as the initial members of the Board and designate 1 of the members as the initial chairperson for a 2-year term.

(2) Terms of office

(A) In general

A member of the Board shall serve for a term of 3 years, except that the members appointed to the initial Board shall serve, proportionately, for terms of 1, 2, and 3 years, as determined by the Secretary.

(B) Limitation on terms

No individual may serve more than 2 consecutive 3-year terms as a member of the Board.

(3) Subsequent members

The initial members of the Board shall adopt procedures in the constitution of the Foundation for the nomination and selection of subsequent members of the Board. The procedures shall require that each member, at a minimum, meets the criteria established under subsection (a) of this section and shall provide for the selection of an individual, who is not a Federal officer or a member of the Board.

(d) Chairperson

After the appointment of an initial chairperson under subsection (c)(1) of this section, each succeeding chairperson of the Board shall be elected by the members of the Board for a 2-year term.

(e) Vacancies

A vacancy on the Board shall be filled by the Board not later than 60 days after the occurrence of the vacancy.

(f) Compensation

A member of the Board shall receive no compensation from the Foundation for the service of the member on the Board.

(g) Travel expenses

While away from the home or regular place of business of a member of the Board in the performance of services for the Board, the member shall be allowed travel expenses paid by the Foundation, including per diem in lieu of subsistence, at the same rate as a person employed intermittently in the Government service is allowed under section 5703 of title 5.