

(Pub. L. 101-513, title VI, § 610, formerly § 606, Nov. 5, 1990, 104 Stat. 2072; renumbered § 610, Pub. L. 102-574, § 2(a)(1), Oct. 29, 1992, 106 Stat. 4593.)

### CHAPTER 66—TAKE PRIDE IN AMERICA PROGRAM

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#### § 4601. Establishment of Take Pride in America Program

##### (a) In general

There is hereby established the Take Pride in America Program within the Department of the Interior (hereinafter referred to as the “TPIA Program”).

##### (b) Purposes

The purposes of the TPIA Program shall include the following:

(1) To establish and maintain a public awareness campaign in cooperation with public and private organizations and individuals—

(A) to instill in the public the importance of the appropriate use of, and appreciation for Federal, State, and local lands, facilities, and natural and cultural resources;

(B) to encourage an attitude of stewardship and responsibility toward these lands, facilities, and resources; and

(C) to promote participation by individuals, organizations, and communities of a conservation ethic in caring for these lands, facilities, and resources.

(2) To conduct a national awards program to honor those individuals and entities which, in the opinion of the Secretary of the Interior (hereafter in this chapter referred to as the “Secretary”), have distinguished themselves in the activities described in paragraph (1) of this subsection.

(Pub. L. 101-628, title XI, § 1102, Nov. 28, 1990, 104 Stat. 4502.)

#### REFERENCES IN TEXT

This chapter, referred to in subsec. (b)(2), was in the original “this Act”, and was translated as reading “this title”, meaning title XI of Pub. L. 101-628, Nov. 28, 1990, 104 Stat. 4502, known as the Take Pride in America Act, which is classified generally to this chapter, to reflect the probable intent of Congress.

#### SHORT TITLE

Pub. L. 101-628, title XI, § 1101, Nov. 28, 1990, 104 Stat. 4502, provided that: “This title [enacting this chapter] may be cited as the ‘Take Pride in America Act’.”

#### § 4602. Gifts and bequests

##### (a) Authority

The Secretary may solicit, accept, hold, administer, invest in government securities, and use gifts and bequests of money and other personal property to aid or facilitate the purposes

of the TPIA Program. Property so donated and accepted shall not be subject to sequestration.

##### (b) Accounting

The Secretary shall maintain a full accounting of such gifts and bequests.

##### (c) Treatment of donations, etc.

For purposes of Federal law, property accepted pursuant to this section shall be considered as a gift, bequest, or devise to the United States.

##### (d) Use of property

Any property and the proceeds thereof shall be used as nearly as practicable in accordance with the terms of the gift or bequest.

(Pub. L. 101-628, title XI, § 1103, Nov. 28, 1990, 104 Stat. 4502.)

#### § 4603. Administrative services

The Secretary of the Interior shall provide such facilities, administrative services, personnel, and support to the TPIA Program as the Secretary determines is necessary and appropriate.

(Pub. L. 101-628, title XI, § 1104, Nov. 28, 1990, 104 Stat. 4502.)

#### § 4604. Volunteers

##### (a) Authority to use volunteers

The Secretary is authorized to recruit, train, and accept the services of individuals or entities, without compensation, as volunteers for or in aid of the purposes of the TPIA Program, without regard to the provisions of title 5, that govern appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of title 5, that relate to classification and General Schedule pay rates.

##### (b) Incidental expenses

The Secretary is authorized to provide for the incidental expenses of such volunteers, such as transportation, uniforms, lodging, or subsistence.

##### (c) Volunteers’ status as Federal employees

(1) Except as otherwise provided in this subsection, 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 provisions relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(2) For purposes of chapter 171 of title 28 (commonly referred to as the “Federal Tort Claims Act”), a volunteer under this subsection shall be considered an employee of the government (as defined in section 2671 of such title).

(3) For purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, a volunteer under this subsection shall be considered an employee (as defined in section 8101 of title 5).

(Pub. L. 101-628, title XI, § 1105, Nov. 28, 1990, 104 Stat. 4502.)

#### § 4605. Authority to execute contracts

The Secretary is authorized to enter into contracts and cooperative agreements and generally

to do any and all lawful acts necessary or appropriate to further the purposes of the TPIA Program.

(Pub. L. 101-628, title XI, § 1106, Nov. 28, 1990, 104 Stat. 4503.)

#### § 4606. Distribution of appropriate items

The Secretary is authorized to distribute pamphlets and other such appropriate items in order to promote the purposes of the TPIA Program.

(Pub. L. 101-628, title XI, § 1107, Nov. 28, 1990, 104 Stat. 4503.)

#### § 4607. Slogan and logo

The “Take Pride in America” slogan and logo, which are registered by the Department of the Interior, and the goodwill associated with such slogan and logo, shall be administered pursuant to the TPIA Program.

(Pub. L. 101-628, title XI, § 1108, Nov. 28, 1990, 104 Stat. 4503.)

#### § 4608. Authorization of appropriations

##### (a) Department of the Interior

There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the purposes of this chapter, not to exceed the amount expended for such purposes for fiscal year 1990.

##### (b) Other Federal agencies

There are authorized to be appropriated to other Federal departments and agencies such sums as may be necessary to carry out the provisions of any other Take Pride in America programs established by such departments or agencies.

(Pub. L. 101-628, title XI, § 1109, Nov. 28, 1990, 104 Stat. 4503.)

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#### SUBCHAPTER I—GENERAL PROVISIONS

### § 4701. Findings and purposes

#### (a) Findings

The Congress finds that—

(1) the discharge of untreated water in the ballast tanks of vessels and through other means results in unintentional introductions of nonindigenous species to fresh, brackish, and saltwater environments;

(2) when environmental conditions are favorable, nonindigenous species become established, may compete with or prey upon native species of plants, fish, and wildlife, may carry diseases or parasites that affect native species, and may disrupt the aquatic environment and economy of affected nearshore areas;

(3) the zebra mussel was unintentionally introduced into the Great Lakes and has infested—

(A) waters south of the Great Lakes, into a good portion of the Mississippi River drainage;

(B) waters west of the Great Lakes, into the Arkansas River in Oklahoma; and

(C) waters east of the Great Lakes, into the Hudson River and Lake Champlain;

(4) the potential economic disruption to communities affected by the zebra mussel due to its colonization of water pipes, boat hulls and other hard surfaces has been estimated at \$5,000,000,000 by the year 2000, and the potential disruption to the diversity and abundance of native fish and other species by the zebra mussel and ruffe, round goby, and other nonindigenous species could be severe;

(5) the zebra mussel was discovered on Lake Champlain during 1993 and the opportunity exists to act quickly to establish zebra mussel controls before Lake Champlain is further infested and management costs escalate;

(6) in 1992, the zebra mussel was discovered at the northernmost reaches of the Chesapeake Bay watershed;

(7) the zebra mussel poses an imminent risk of invasion in the main waters of the Chesapeake Bay;

(8) since the Chesapeake Bay is the largest recipient of foreign ballast water on the East Coast, there is a risk of further invasions of other nonindigenous species;

(9) the zebra mussel is only one example of thousands of nonindigenous species that have become established in waters of the United States and may be causing economic and ecological degradation with respect to the natural resources of waters of the United States;

(10) since their introduction in the early 1980's in ballast water discharges, ruffe—

(A) have caused severe declines in populations of other species of fish in Duluth Harbor (in Minnesota and Wisconsin);

(B) have spread to Lake Huron; and

(C) are likely to spread quickly to most other waters in North America if action is not taken promptly to control their spread;