

(e) **QUORUM.**—A majority of the members of the Board serving at any time shall constitute a quorum for the transaction of business.

(f) **SEAL.**—The National Park Foundation shall have an official seal, which shall be judicially noticed.

(g) **MEETINGS.**—The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

(h) **COMPENSATION AND REIMBURSEMENT.**—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 members out of National Park Foundation funds available to the Board for those purposes.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3120; Pub. L. 114–289, title IV, § 401(1), Dec. 16, 2016, 130 Stat. 1488.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101112	16 U.S.C. 19f.	Pub. L. 90–209, § 2, Dec. 18, 1967, 81 Stat. 656.

In this section, the text of 16 U.S.C. 19f (2d and last sentences in last sentences) is omitted as obsolete.

In subsection (a), the words “ex officio” are omitted as unnecessary.

In subsection (b), the words “whose initial terms shall be staggered to assure continuity of administration. Thereafter” are omitted as obsolete.

Editorial Notes

AMENDMENTS

2016—Subsec. (a). Pub. L. 114–289, § 401(1)(A), amended subsec. (a) generally. Prior to amendment, text read as follows: “The National Park Foundation shall consist of a Board having as members the Secretary, the Director, and no fewer than 6 private citizens of the United States appointed by the Secretary.”

Subsec. (c). Pub. L. 114–289, § 401(1)(B), amended subsec. (c) generally. Prior to amendment, text read as follows: “The Secretary shall be the Chairman of the Board and the Director shall be the Secretary of the Board.”

§ 101113. Gifts, devises, or bequests

(a) **AUTHORITY TO ACCEPT GIFTS, DEVISES, OR BEQUESTS.**—

(1) **IN GENERAL.**—The National Park Foundation may 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 from, or other interest in, the gift, devise, or bequest, for the benefit of, or in connection with, the Service, its activities, or its services.

(2) **COORDINATION WITH SERVICE.**—Activities of the National Park Foundation under paragraph (1) shall be undertaken after consultation with the Director to ensure that those activities are consistent with the programs and policies of the Service.

(3) **GIFT, DEVISE, OR BEQUEST THAT IS ENCUMBERED, RESTRICTED, OR SUBJECT TO BENEFICIAL INTERESTS.**—A gift, devise, or bequest may be accepted by the National Park Foundation even though it is encumbered, restricted, or

subject to beneficial interests of private persons if any current or future interest in the gift, devise, or bequest is for the benefit of the Service, its activities, or its services.

(b) **WHEN GIFT, DEVISE, OR BEQUEST MAY NOT BE ACCEPTED.**—The National Park Foundation may not accept any gift, devise, or bequest that entails any expenditure other than from the resources of the Foundation.

(c) **INTEREST IN REAL PROPERTY.**—For purposes of this section, an interest in real property includes 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.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3120; Pub. L. 114–289, title IV, § 401(2), Dec. 16, 2016, 130 Stat. 1488.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
101113(a)(1)	16 U.S.C. 19g (1st sentence words before proviso).	Pub. L. 90–209, § 3, Dec. 18, 1967, 81 Stat. 656.
101113(a)(2)	16 U.S.C. 19g (last sentence).	
101113(b)	16 U.S.C. 19g (1st sentence proviso).	
101113(c)	16 U.S.C. 19g (2d sentence).	

In subsection (c), the words “among other things” are omitted as unnecessary.

Editorial Notes

AMENDMENTS

2016—Subsec. (a)(2), (3). Pub. L. 114–289 added par. (2) and redesignated former par. (2) as (3).

§ 101114. Disposition of property or income

(a) **AUTHORITY TO DISPOSE OR DEAL WITH PROPERTY OR INCOME.**—Except as otherwise required by the instrument of transfer, the National Park Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income from the property as the Board may determine.

(b) **RESTRICTION.**—The National Park Foundation shall not engage in any business or make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation.

(c) **USE OF SERVICES AND FACILITIES OF THE DEPARTMENTS OF THE INTERIOR AND JUSTICE.**—The National Park Foundation may utilize the services and facilities of the Department of the Interior and the Department of Justice, and the services and facilities may be made available on request to the extent practicable with or without reimbursement. Amounts reimbursed to either Department shall be returned by the Department to the account from which the funds for which the reimbursement is made were drawn and may, without further appropriation, be expended for any purpose for which the account is authorized.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3121.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101114	16 U.S.C. 19h.	Pub. L. 90-209, §4, Dec. 18, 1967, 81 Stat. 656; Pub. L. 106-176, title III, §305, Mar. 10, 2000, 114 Stat. 33.

§ 101115. Corporate succession and powers and duties acting as trustee; personal liability for malfeasance

(a) PERPETUAL SUCCESSION.—The National Park Foundation shall have perpetual succession.

(b) POWERS AND DUTIES OF TRUSTEE.—The National Park Foundation shall have all the usual powers and obligations of a corporation acting as a trustee, including the power to sue and to be sued in its own name.

(c) PERSONAL LIABILITY OF BOARD MEMBERS.—The members of the Board shall not be personally liable, except for malfeasance.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3121.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101115	16 U.S.C. 19i.	Pub. L. 90-209, §5, Dec. 18, 1967, 81 Stat. 657.

§ 101116. Corporate powers

The National Park 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.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3121.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101116	16 U.S.C. 19j.	Pub. L. 90-209, §6, Dec. 18, 1967, 81 Stat. 657.

§ 101117. Authority of Board

In carrying out this chapter, the Board may—

- (1) adopt bylaws and regulations necessary for the administration of its functions; and
- (2) contract for any necessary services.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3121.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101117	16 U.S.C. 19k.	Pub. L. 90-209, §7, Dec. 18, 1967, 81 Stat. 657.

§ 101118. Tax exemptions; contributions toward costs of local government; contributions, gifts, or transfers to or for use of United States

(a) TAX EXEMPTION.—The National Park Foundation and any income or property received or owned by it, and all transactions relating to that income or property, shall be exempt from all Federal, State, and local taxation.

(b) CONTRIBUTIONS IN LIEU OF TAXES.—The National Park Foundation may—

(1) contribute toward the costs of local government in amounts not in excess of those which it would be obligated to pay that government if it were not exempt from taxation by virtue of subsection (a) or by virtue of its being a charitable and nonprofit corporation; and

(2) agree to contribute with respect to property transferred to it and the income derived from the property if the agreement is a condition of the transfer.

(c) TRANSFERS DEEMED TO BE TO OR FOR THE USE OF UNITED STATES.—Contributions, gifts, and other transfers made to or for the use of the Foundation shall be deemed to be contributions, gifts, or transfers to or for the use of the United States.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3122.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101118	16 U.S.C. 19l.	Pub. L. 90-209, §8, Dec. 18, 1967, 81 Stat. 657.

In subsection (b), the words “in the discretion of its directors” are omitted as unnecessary.

§ 101119. Liability of United States

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

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3122.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101119	16 U.S.C. 19m.	Pub. L. 90-209, §9, Dec. 18, 1967, 81 Stat. 657.

§ 101120. Promotion of local fundraising support

(a) PROGRAM.—The National Park Foundation shall design and implement a comprehensive program to assist and promote philanthropic programs of support at the individual System unit level.

(b) IMPLEMENTATION.—The program under subsection (a) shall be implemented to—

- (1) assist in the creation of local nonprofit support organizations; and
- (2) provide support, national consistency, and management-improving suggestions for local nonprofit support organizations.

(c) PROGRAM.—The program under subsection (a)—

- (1) shall include the greatest number of System units as is practicable; and
- (2) at a minimum shall include—

(A) a standard adaptable organizational design format to establish and sustain responsible management of a local nonprofit support organization for support of a System unit;

(B) standard and legally tenable bylaws and recommended money-handling procedures that can easily be adapted as applied to individual System units; and

(C) a standard training curriculum to orient and expand the operating expertise of