

HISTORICAL AND REVISION NOTES—CONTINUED

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
102102(f)	16 U.S.C. 1a-2(k)(4)(C).	

CHAPTER 1023—PROGRAMS AND ORGANIZATIONS

- Sec.
 102301. Volunteers in parks program.
 102302. National Capital region arts and cultural affairs.
 102303. National Park System Advisory Board.
 102304. National Park Service Advisory Council.

§ 102301. Volunteers in parks program

(a) ESTABLISHMENT.—The Secretary may recruit, train, and accept, without regard to chapter 51 and subchapter III of chapter 53 of title 5 or regulations prescribed under that chapter or subchapter, the services of individuals without compensation as volunteers for or in aid of interpretive functions or other visitor services or activities in and related to System units and related areas. In accepting those services, 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. The services of individuals whom the Secretary determines are skilled in performing hazardous activities may be accepted.

(b) INCIDENTAL EXPENSES.—The Secretary may provide for incidental expenses of volunteers, such as transportation, uniforms, lodging, and subsistence.

(c) FEDERAL EMPLOYEE STATUS FOR VOLUNTEERS.—

(1) 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.

(2) TORT CLAIMS.—For the purpose of sections 1346(b) and 2401(b) and chapter 171 of title 28, a volunteer under this chapter shall be deemed a Federal employee.

(3) VOLUNTEERS DEEMED CIVIL EMPLOYEES.—For the purposes of subchapter I of chapter 81 of title 5, volunteers under this chapter 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 subchapter I of chapter 81 of title 5 shall apply.

(4) 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 chapter shall be deemed a Federal employee, and section 3721 of title 31 shall apply.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section not more than \$9,000,000 for each fiscal year.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3153; Pub. L. 113-235, div. F, title I, § 118, Dec. 16, 2014,

128 Stat. 2421; Pub. L. 114-113, div. G, title I, § 114, Dec. 18, 2015, 129 Stat. 2550; Pub. L. 114-289, title III, § 303, Dec. 16, 2016, 130 Stat. 1487.)

AMENDMENT NOT SHOWN IN TEXT

Subsection (d) of this section was derived from section 18j of Title 16, Conservation, which was amended by Pub. L. 113-235, div. F, title I, § 118, Dec. 16, 2014, 128 Stat. 2421. For applicability of that amendment to this section, see section 6(b) of Pub. L. 113-287, set out as a Transitional and Savings Provisions note preceding section 100101 of this title. Former section 18j of Title 16 was amended by striking “\$3,500,000” and inserting “\$5,000,000”.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
102301(a)	16 U.S.C. 18g.	Pub. L. 91-357, § 1, July 29, 1970, 84 Stat. 472; Pub. L. 98-540, § 1(b), Oct. 24, 1984, 98 Stat. 2718.
102301(b)	16 U.S.C. 18h.	Pub. L. 91-357, § 2, July 29, 1970, 84 Stat. 472.
102301(c)	16 U.S.C. 18i.	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.
102301(d)	16 U.S.C. 18j.	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.

In subsection (a), the words “chapter 51 and subchapter III of title 5” are substituted for “the civil service classification laws” for clarity and for consistency with other titles of the United States Code. The words “System units and related areas” are substituted for “areas administered by the Secretary through the National Park Service” for clarity and for consistency in the new title.

In subsection (b), the words “of volunteers” are added for clarity.

In subsection (c)(3), the words “relating to compensation to Federal employees for work injuries” are omitted as unnecessary.

In subsection (d), the words “such sums as may be necessary” are omitted as unnecessary.

Editorial Notes

AMENDMENTS

2016—Subsec. (d). Pub. L. 114-289 substituted “not more than \$9,000,000” for “not more than \$7,000,000”. See Amendment Subject to Availability of Appropriations note below.

2015—Subsec. (d). Pub. L. 114-113 substituted “\$7,000,000” for “\$3,500,000”.

Statutory Notes and Related Subsidiaries

AMENDMENT SUBJECT TO AVAILABILITY OF APPROPRIATIONS

Pub. L. 114-289, title III, § 303, Dec. 16, 2016, 130 Stat. 1487, provided that the amendment of this section by section 303 is subject to the availability of appropriations.

§ 102302. National Capital region arts and cultural affairs

(a) ESTABLISHMENT.—There is under the direction of the Service a program to support and enhance artistic and cultural activities in the National Capital region.