

**SUBSTITUTE INDEMNIFICATION AND CHOICE OF LAW PROVISIONS**

**1. Indemnification provisions would be changed to:**

The National Park Service agrees to cooperate, to the extent allowed by law, in the submission of claims, pursuant to the Federal Tort Claims Act, against the United States for any costs or expenses of any nature related or arising out of the improper use of the subject photograph. This includes claims related to or arising out of any infringement of any copyrights owned by others as a result of the use of the photograph in any manner not permitted by the terms of the agreement.

**2. Choice of Law provisions would be changed to:**

This Agreement and any disputes thereof shall be governed by the laws of the United States of America without regard to choice of law principles. Any action arising out of this Agreement must be brought in the United States Federal Court system.