

TRANSFER OF FUNCTIONS

Secretary of Commerce substituted for Secretary of the Interior in view of transfer of functions to Secretary of Commerce from Secretary of the Interior by section 2 of Pub. L. 93-193. See Transfer of Functions note set out under section 18 of this title.

§ 18d. Authorization of appropriations

For the purpose of carrying out the provisions of sections 18 to 18d of this title, there are authorized to be appropriated not to exceed \$2,500,000 for the fiscal year ending June 30, 1976; \$625,000 for the transition period of July 1, 1976, through September 30, 1976; \$2,500,000 for the fiscal year ending September 30, 1977, and \$2,500,000 for the fiscal year ending September 30, 1978.

(July 19, 1940, ch. 642, § 5, 54 Stat. 774; Pub. L. 91-549, Dec. 14, 1970, 84 Stat. 1437; Pub. L. 94-55, § 2(a), July 9, 1975, 89 Stat. 262.)

AMENDMENTS

1975—Pub. L. 94-55 substituted provisions authorizing appropriations not to exceed \$2,500,000 for fiscal year ending June 30, 1976, \$625,000 for the transition period of July 1, 1976 through Sept. 30, 1976, \$2,500,000 for fiscal year ending Sept. 30, 1977, and \$2,500,000 for fiscal year ending Sept. 30, 1978, for provisions authorizing appropriations not to exceed \$250,000 for fiscal year 1971 and \$750,000 for fiscal year 1972.

1970—Pub. L. 91-549 substituted provisions authorizing appropriations of not more than \$250,000 for fiscal year 1971 and not more than \$750,000 for fiscal year 1972, for provisions which authorized appropriations of not more than \$100,000 annually.

§ 18e. Repealed. Sept. 20, 1941, ch. 412, title V, § 541(c), 55 Stat. 710

Section, act June 28, 1941, ch. 259, § 1, 55 Stat. 350, exempted national park, etc., admission fees from all Federal tax on admissions. Act Sept. 20, 1941, was made effective on, and applicable only with respect to the period beginning with Oct. 1, 1941, by section 550(a) thereof.

§ 18f. Management of museum properties

The purpose of this section and sections 18f-2 and 18f-3 of this title shall be to increase the public benefits from museums established within the individual areas administered by the Secretary of the Interior through the National Park Service as a means of informing the public concerning the areas and preserving valuable objects and relics relating thereto. The Secretary of the Interior, notwithstanding other provisions or limitations of law, may perform the following functions in such manner as he shall consider to be in the public interest:

(a) Donations and bequests

Accept donations and bequests of money or other personal property, and hold, use, expend, and administer the same for purposes of this section and sections 18f-2 and 18f-3 of this title;

(b) Purchases

Purchase museum objects, museum collections, and other personal properties at prices he considers to be reasonable;

(c) Exchanges

Make exchanges by accepting museum objects, museum collections, and other personal properties, and by granting in exchange therefor mu-

seum property under the administrative jurisdiction of the Secretary which is no longer needed or which may be held in duplicate among the museum properties administered by the Secretary, such exchanges to be consummated on a basis which the Secretary considers to be equitable and in the public interest;

(d) Accepting loans of museum objects

Accept the loan of museum objects, museum collections, and other personal properties and pay transportation costs incidental thereto, such loans to be accepted upon terms and conditions which he shall consider necessary; and

(e) Making loans of museum objects

Loan to responsible public or private organizations, institutions, or agencies, without cost to the United States, such museum objects, museum collections, and other personal property as he shall consider advisable, such loans to be made upon terms and conditions which he shall consider necessary to protect the public interest in such properties.

(July 1, 1955, ch. 259, § 1, 69 Stat. 242; Pub. L. 104-333, div. I, title VIII, § 804(a)(1), Nov. 12, 1996, 110 Stat. 4187.)

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-333 struck out “from such donations and bequests of money” before “museum objects”.

§ 18f-1. Disposal of unnecessary or duplicate museum objects; use of proceeds

In fiscal year 1991 and thereafter, the Secretary may exercise the authorities granted in section 18f of this title in administration of the Department of the Interior Museum, and may dispose of objects no longer needed for the Museum or held in duplicate among museum properties and apply the proceeds to the purchase of museum objects, museum collections, and other personal properties at reasonable prices.

(Pub. L. 101-512, title I, § 116, Nov. 5, 1990, 104 Stat. 1937.)

§ 18f-2. Additional functions**(a) Museum objects and collections**

In addition to the functions specified in section 18f of this title, the Secretary of the Interior may perform the following functions in such manner as he shall consider to be in the public interest:

(1) Transfer museum objects and museum collections that the Secretary determines are no longer needed for museum purposes to qualified Federal agencies, including the Smithsonian Institution, that have programs to preserve and interpret cultural or natural heritage, and accept the transfer of museum objects and museum collections for the purposes of this section and sections 18f and 18f-3 of this title from any other Federal agency, without reimbursement. The head of any other Federal agency may transfer, without reimbursement, museum objects and museum collections directly to the administrative jurisdiction of the Secretary of the Interior for the purpose of this section and sections 18f and 18f-3 of this title.

(2) Convey museum objects and museum collections that the Secretary determines are no longer needed for museum purposes, without monetary consideration but subject to such terms and conditions as the Secretary deems necessary, to private institutions exempt from Federal taxation under section 501(c)(3) of title 26 and to non-Federal governmental entities if the Secretary determines that the recipient is dedicated to the preservation and interpretation of natural or cultural heritage and is qualified to manage the property, prior to any conveyance under this subsection.

(3) Destroy or cause to be destroyed museum objects and museum collections that the Secretary determines to have no scientific, cultural, historic, educational, esthetic, or monetary value.

(b) Review and approval

The Secretary shall ensure that museum collections are treated in a careful and deliberate manner that protects the public interest. Prior to taking any action under subsection (a) of this section, the Secretary shall establish a systematic review and approval process, including consultation with appropriate experts, that meets the highest standards of the museum profession for all actions taken under this section.

(July 1, 1955, ch. 259, §2, as added Pub. L. 104-333, div. I, title VIII, §804(a)(2), Nov. 12, 1996, 110 Stat. 4187.)

§ 18f-3. Application and definitions

(a) Application

Authorities in this section and sections 18f and 18f-2 of this title shall be available to the Secretary of the Interior with regard to museum objects and museum collections that were under the administrative jurisdiction of the Secretary for the purposes of the National Park System before November 12, 1996, as well as those museum objects and museum collections that may be acquired on or after November 12, 1996.

(b) Definitions

For the purposes of this section and sections 18f and 18f-2 of this title, the terms “museum objects” and “museum collections” mean objects that are eligible to be or are made part of a museum, library, or archive collection through a formal procedure, such as accessioning. Such objects are usually movable and include but are not limited to prehistoric and historic artifacts, works of art, books, documents, photographs, and natural history specimens.

(July 1, 1955, ch. 259, §3, as added Pub. L. 104-333, div. I, title VIII, §804(b), Nov. 12, 1996, 110 Stat. 4188.)

SUBCHAPTER II—VOLUNTEERS IN PARKS PROGRAM

§ 18g. Creation of program

The Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to recruit, train, and accept without regard to the civil service classification laws, rules, or regulations the services of individuals without compensation as volunteers for or in aid of interpre-

tive functions, or other visitor services or activities in and related to areas administered by the Secretary through the National Park Service. In accepting such services of individuals or volunteers, 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: *Provided*, That the services of individuals whom the Secretary determines are skilled in performing hazardous activities may be accepted.

(Pub. L. 91-357, §1, July 29, 1970, 84 Stat. 472; Pub. L. 98-540, §1(b), Oct. 24, 1984, 98 Stat. 2718.)

AMENDMENTS

1984—Pub. L. 98-540 restricted the activities of volunteers except in the case of skilled individuals.

SHORT TITLE

Pub. L. 91-357, §5, July 29, 1970, 84 Stat. 472, provided that: “This Act [enacting this subchapter] may be cited as the ‘Volunteers in the Parks Act of 1969’.”

§ 18h. Incidental expenses

The Secretary is authorized to provide for incidental expenses, such as transportation, uniforms, lodging, and subsistence.

(Pub. L. 91-357, §2, July 29, 1970, 84 Stat. 472.)

§ 18i. Federal employee status for volunteers

(a) 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.

(b) Tort claims

For the purpose of the tort claim provisions of title 28, a volunteer under this subchapter shall be considered a Federal employee.

(c) Civil employees

For the purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, volunteers under this subchapter 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 the provisions of that subchapter shall apply.

(d) 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 subchapter shall be considered a Federal employee, and the provisions of section 3721 of title 31 shall apply.

(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.)

AMENDMENTS

1990—Subsec. (d). Pub. L. 101-286 added subsec. (d).

§ 18j. Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the pro-