

title, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 108 of House Document No. 103-7.

§ 410cc-34. Acquisition and disposition of property

(a) Acquisition of specified property; manner of acquisition

(1) The Commission may acquire any property designated in paragraph (3) of this subsection, any property described in section 410cc-32(d)(1) of this title, or any interest therein, by donation, by purchase with donated or appropriated funds, or by condemnation in accordance with paragraph (2) of this subsection.

(2) Only properties within the park or property designated in paragraph (3) of this subsection may be acquired by the Commission by condemnation. The Commission may initiate condemnation proceedings only after making every reasonable effort to acquire any such property through negotiations and purchase and consulting with the city council of Lowell. No lands or interests therein may be acquired by the Commission by condemnation without the approval of the Secretary.

(3) The Commission may acquire in accordance with paragraph (1) of this subsection the following properties, or any interest therein:

(A) World Furniture Building, 125 Central Street; and

(B) The Martin Building, 102-122 Central Street.

(b) Sale or lease of specified property; conditions

The Commission, with the approval of the Secretary, may sell or lease any property which it acquires under subsection (a) of this section subject to such deed restrictions or other conditions as the Commission deems appropriate to carry out the purpose of this subchapter.

(c) Agreement for disposal of specified property to Commonwealth of Massachusetts; purposes of transfers

Pursuant to a written agreement between the Commission and the Commonwealth of Massachusetts, the Commission, with the approval of the Secretary, may sell, donate, lease, or in any other manner the Commission and the Secretary deem appropriate make available to the Commonwealth any property which the Commission has acquired under subsection (a) of this section in order to provide for the administration or maintenance of such property by the Commonwealth in a manner consistent with the purpose of this subchapter.

(Pub. L. 95-290, title III, §304, June 5, 1978, 92 Stat. 302.)

§ 410cc-35. Powers of Commission

(a) Conduct of hearings, etc.

The Commission may for the purpose of carrying out this subchapter hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission may deem advisable. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) Authorization of action by member or agent

When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(c) Receipt of necessary information from other Federal departments or agencies; information furnished upon request by chairman

Subject to section 552a of title 5, the Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this subchapter. Upon request of the chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(d) Authorization to seek and accept donations of funds, property, or services

Notwithstanding any other provision of law, the Commission may seek and accept donations of funds, property, or services from individuals, foundations, corporations, and other private entities, and from public entities, for the purpose of carrying out its duties.

(e) Use of funds for obtaining additional moneys

The Commission may use its funds to obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money.

(f) Use of mails

The Commission may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(g) Purchase, rental, donation, etc., of property, facilities, and services; manner of acquisition; transfers to Department of the Interior upon termination of Commission

The Commission may obtain by purchase, rental, donation, or otherwise, such property, facilities, and services as may be needed to carry out its duties. Any acquisition of property by the Commission shall be in accordance with section 410cc-34 of this title: *Provided, however*, That the Commission may not acquire lands or interests therein pursuant to this subsection by condemnation. Upon the termination of the Commission, all property, personal and real, and unexpended funds shall be transferred to the Department of the Interior.

(Pub. L. 95-290, title III, §305, June 5, 1978, 92 Stat. 302.)

§ 410cc-36. Staff of Commission

(a) Appointment and compensation of Director

The Commission shall have a Director who shall be appointed by the Commission and who shall be paid at a rate not to exceed the rate of pay payable for grade GS-15 of the General Schedule.

(b) Appointment and compensation of additional personnel

The Commission may appoint and fix the pay of such additional personnel as the Commission deems desirable.

(c) Applicability of civil service provisions to appointment and compensation of Director and staff

The Director and staff of the Commission may be appointed without regard to the provisions of title 5 governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51, and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no individual so appointed may receive pay in excess of the annual rate of basic pay payable for grade GS-15 of the General Schedule.

(d) Temporary or intermittent services; procurement and compensation

Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, but at rates determined by the Commission to be reasonable.

(e) Detail of personnel from other Federal agencies represented by members on Commission; reimbursement by Commission; administrative support services by Administrator of General Services Administration; reimbursement by Commission

(1) Upon request of the Commission, the head of any Federal agency represented by members on the Commission may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist it in carrying out its duties under this subchapter.

(2) The Administrator of the General Services Administration shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(Pub. L. 95-290, title III, §306, June 5, 1978, 92 Stat. 303.)

REFERENCES IN TEXT

GS-15 of the General Schedule, referred to in subsecs. (a) and (c), is set out under section 5332 of Title 5, Government Organization and Employees.

§ 410cc-37. Use of funds; maintenance of financial records; audits

(a) Any revenues or other assets acquired by the Commission by donation, the lease or sale of property or fees for services shall be available to the Commission, without fiscal year limitation, to be used for any function of the Commission authorized under this subchapter. The Commission shall keep financial records fully disclosing the amount and source of revenues and other assets acquired by the Commission, and shall keep such other financial records as the Secretary may prescribe.

(b) The Secretary shall require audits of the financial records of the Commission to be conducted not less frequently than once each year in order to ensure that revenues and other assets of the Commission are being used in a manner authorized under this subchapter.

(Pub. L. 95-290, title III, §307, as added Pub. L. 96-344, §10, Sept. 8, 1980, 94 Stat. 1136.)

SUBCHAPTER LIX-B—WAR IN THE PACIFIC NATIONAL HISTORICAL PARK

§ 410dd. Establishment

(a) Statement of purposes

In order to commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific theater of World War II and to conserve and interpret outstanding natural, scenic, and historic values and objects on the island of Guam for the benefit and enjoyment of present and future generations, the War in the Pacific National Historical Park (hereinafter in this section referred to as the “park”) is hereby established.

(b) Boundaries; revisions of boundary; publication in Federal Register

The boundaries of the park shall be as generally depicted on the drawing entitled “Boundary Map, War in the Pacific National Historical Park, Guam” numbered P-24-80,000-B and dated March 1978, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior. Following ninety days notice to the Committee on Natural Resources of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate, the Secretary may make minor revisions of the boundary of the park by publication of a revised map in the Federal Register.

(c) Acquisition of lands and interests therein; manner of acquisition

Within the boundaries of the park, the Secretary may acquire lands and interests therein by donation, purchase with donated or appropriated funds, exchange, or transfer.

(d) Identification, etc., of other points relevant to park

Other points on the island of Guam relevant to the park may be identified, established, and marked by the Secretary in agreement with the Governor of Guam.

(e) Administration of property

The Secretary shall administer property acquired in accordance with the laws generally applicable to the management of units of the National Park System.

(f) Assistance of appropriate historians for interpretation of historical aspects; language requirements for interpretative activities

The Secretary is authorized to seek the assistance of appropriate historians to interpret the historical aspects of the park. To the greatest extent possible, interpretative activities will be conducted in the following three languages: English, Chamorro, and Japanese.

(g) Negotiations for berthing and interpretation of naval vessel appropriate for accessibility to public

The Secretary is authorized to enter into negotiations with the Secretary of Defense for the berthing and interpretation of a naval vessel of World War II vintage which shall be accessible to the public on the island of Guam.