

§ 4749. Property: for United States surveys

Under regulations governing the transportation of Army supplies, any branch, office, or officer designated by the Secretary of the Army shall receive, transport, and be responsible for property turned over by the officers or agents of any United States survey, for the National Museum or for a department of the United States or field office thereof. The amount paid by the Army for transportation under this section shall be refunded to the Army by the National Museum or the department to which the property is consigned.

(Aug. 10, 1956, ch. 1041, 70A Stat. 268.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---|
| 4749 | 10:1377. | July 5, 1884, ch. 217 (9th proviso under "Quartermaster's Department"), 23 Stat. 111; June 28, 1950, ch. 383, § 402(b), 64 Stat. 272. |

The words "a department of the United States or a field office thereof" are substituted for the words "the civil or naval departments of the Government, in Washington or elsewhere". The words "National Museum or the department to which the property is consigned" are substituted for the words "bureau to which such property or stores pertain". The words "United States" are substituted for the word "Government". The words "wherever stationed" are omitted as surplusage.

CHAPTER 449—REAL PROPERTY

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| Sec. | |
| 4771. | Acceptance of donations: land for mobilization, training, supply base, or aviation field. |
| 4772. | Heritage Center for the National Museum of the United States Army: development and operation. |
| [4774, 4775. | Repealed.] |
| 4776. | Emergency construction: fortifications. |
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| 4778. | Licenses: military reservations; erection and use of buildings; Young Men's Christian Association. |
| 4779. | Use of public property. |
| 4780. | Acquisition of buildings in District of Columbia. |

AMENDMENTS

2004—Pub. L. 108-375, div. B, title XXVIII, § 2822(b), Oct. 28, 2004, 118 Stat. 2132, added item 4772.

1982—Pub. L. 97-295, § 1(43)(B), Oct. 12, 1982, 96 Stat. 1298, struck out item 4772 "Reservation and use for air base or testing field".

Pub. L. 97-214, § 10(a)(9)(A), July 12, 1982, 96 Stat. 175, struck out item 4774 "Construction: limitations".

1973—Pub. L. 93-166, title V, § 509(c), Nov. 29, 1973, 87 Stat. 677, substituted "Construction: limitations" for "Construction of quarters: limitations on space and cost" in item 4774.

1971—Pub. L. 92-145, title V, § 509(a), Oct. 27, 1971, 85 Stat. 408, struck out item 4775 "Quarters: officers".

1958—Pub. L. 85-861, § 1(105)(B), Sept. 2, 1958, 72 Stat. 1490, added item 4780.

§ 4771. Acceptance of donations: land for mobilization, training, supply base, or aviation field

The Secretary of the Army may accept for the United States a gift of—

(1) land that he considers suitable and desirable for a permanent mobilization, training, or supply station; and

(2) land that he considers suitable and desirable for an aviation field, if the gift is from a citizen of the United States and its terms authorize the use of the property by the United States for any purpose.

(Aug. 10, 1956, ch. 1041, 70A Stat. 268.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|----------------------|---|
| 4771 | 10:1342. 10:1344. | Aug. 29, 1916, ch. 418 (6th and 8th pars. under "Office of the Chief Signal Officer"), 39 Stat. 622, 623. |

10:1344 (last 40 words) is omitted as executed. The words "tract or tracts", in 10:1342 and 1344, are omitted as surplusage. The words "and remount station", in 10:1342, are omitted, since the property and civilian personnel of the Remount Service of the Quartermaster Corps were transferred to the Department of Agriculture by the Act of April 21, 1948, ch. 224, 62 Stat. 197 (7 U.S.C. 436-438). The words "by the United States for any purpose" are substituted for the words "for any other service of the United States which may hereafter appear desirable", in 10:1342. The words "from any person", in 10:1344, are omitted as surplusage.

§ 4772. Heritage Center for the National Museum of the United States Army: development and operation

(a) AGREEMENT FOR DEVELOPMENT OF CENTER.—The Secretary of the Army may enter into an agreement with the Army Historical Foundation, a nonprofit organization, for the design, construction, and operation of a facility or group of facilities at Fort Belvoir, Virginia, for the National Museum of the United States Army. The facility or group of facilities constructed pursuant to the agreement shall be known as the Heritage Center for the National Museum of the United States Army (in this section referred to as the "Center").

(b) PURPOSE OF CENTER.—The Center shall be used for the identification, curation, storage, and public viewing of artifacts and artwork of significance to the United States Army, as agreed to by the Secretary of the Army. The Center may also be used to support such education, training, research, and associated purposes as the Secretary considers appropriate.

(c) DESIGN AND CONSTRUCTION.—(1) The design of the Center shall be subject to the approval of the Secretary of the Army.

(2) For each phase of the development of the Center, the Secretary may—

(A) accept funds and in-kind gifts, including services, construction materials, and equipment used in construction, from the Army Historical Foundation and other persons for the design and construction of such phase of the Center; or

(B) permit the Army Historical Foundation to contract for the design and construction of such phase of the Center.

(d) ACCEPTANCE BY SECRETARY.—Upon the satisfactory completion, as determined by the Secretary of the Army, of any phase of the Center,

and upon the satisfaction of any financial obligations incident to such phase of the Center by the Army Historical Foundation, the Secretary shall accept such phase of the Center from the Army Historical Foundation, and all right, title, and interest in and to such phase of the Center shall vest in the United States. Upon becoming the property of the United States, the Secretary shall assume administrative jurisdiction over the Center.

(e) USE OF CERTAIN GIFTS.—(1) Under regulations prescribed by the Secretary of the Army, the Commander of the United States Army Center of Military History may, without regard to section 2601 of this title, accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property of a value of \$250,000 or less made to the United States if such gift, devise, or bequest is for the benefit of the National Museum of the United States Army or the Center.

(2) The Secretary may pay or authorize the payment of any reasonable and necessary expense in connection with the conveyance or transfer of a gift, devise, or bequest under this subsection.

(f) LEASE OF FACILITY.—(1) Under such terms and conditions as the Secretary of the Army considers appropriate, the Secretary may lease portions of the Center to the Army Historical Foundation to be used by the Foundation, consistent with the purpose of the Center, for—

(A) generating revenue for activities of the Center through rental use by the public, commercial and nonprofit entities, State and local governments, and other Federal agencies; and

(B) such administrative purposes as may be necessary for the support of the Center.

(2) The annual amount of consideration paid to the Secretary by the Army Historical Foundation for a lease under paragraph (1) may not exceed an amount equal to the actual cost, as determined by the Secretary, of the annual operations and maintenance of the Center.

(3) Notwithstanding any other provision of law, the Secretary shall use amounts paid under paragraph (2) to cover the costs of operation of the Center.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the agreement authorized by subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(Added Pub. L. 108-375, div. B, title XXVIII, §2822(a), Oct. 28, 2004, 118 Stat. 2130; amended Pub. L. 113-291, div. B, title XXVIII, §2851, Dec. 19, 2014, 128 Stat. 3713.)

PRIOR PROVISIONS

A prior section 4772, act Aug. 10, 1956, ch. 1041, 70A Stat. 268, had provided that, when ordered by the President, unappropriated public land could be reserved from entry for an air base, or a field for tests and experiments, for the Army, and that such land and other property of the United States could be designed and used for either of those purposes, prior to repeal by Pub. L. 97-295, §1(43)(A), Oct. 12, 1982, 96 Stat. 1298.

AMENDMENTS

2014—Subsec. (c)(2)(A). Pub. L. 113-291 substituted “accept funds and in-kind gifts, including services, con-

struction materials, and equipment used in construction, from the Army Historical Foundation and other persons” for “accept funds from the Army Historical Foundation”.

[§ 4774. Repealed. Pub. L. 97-214, §7(1), July 12, 1982, 96 Stat. 173]

Section, acts Aug. 10, 1956, ch. 1041, 70A Stat. 269; Aug. 30, 1957, Pub. L. 85-241, title IV, §404(a), 71 Stat. 555; Aug. 10, 1959, Pub. L. 86-149, title IV, §410(a), 73 Stat. 321; July 27, 1962, Pub. L. 87-554, title V, §504(a), (c), 76 Stat. 239; Nov. 7, 1963, Pub. L. 88-174, title V, §503, 77 Stat. 325; Dec. 5, 1969, Pub. L. 91-142, title V, §510(b), 83 Stat. 312; Oct. 27, 1971, Pub. L. 92-145, title V, §508(a), (c), 85 Stat. 408; Nov. 29, 1973, Pub. L. 93-166, title V, §509(c), 87 Stat. 677, related to limitations on construction.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1982, and applicable to military construction projects, and to construction and acquisition of military family housing authorized before, on, or after such date, see section 12(a) of Pub. L. 97-214, set out as an Effective Date note under section 2801 of this title.

[§ 4775. Repealed. Pub. L. 92-145, title V, §509(a), Oct. 27, 1971, 85 Stat. 408]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 269, authorized assignment of quarters belonging to United States at a post or station by post quartermaster to officers, grade lieutenant general down to second lieutenant, 10 to 2 rooms, respectively, and prohibited other assignment where quarters existed.

§ 4776. Emergency construction: fortifications

If in an emergency the President considers it urgent, a temporary fort or fortification may be built on private land if the owner consents in writing.

(Aug. 10, 1956, ch. 1041, 70A Stat. 270; Pub. L. 91-393, §5, Sept. 1, 1970, 84 Stat. 835.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|--|
| 4776 | 50:178. | Apr. 11, 1898, J. Res. 21, 30 Stat. 737. |

The word “important” is omitted as covered by the word “urgent”. The words “upon which such work is to be placed” are omitted as surplusage.

AMENDMENTS

1970—Pub. L. 91-393 struck out “In such a case, section 175 of title 50 does not apply.”

§ 4777. Permits: military reservations; landing ferries, erecting bridges, driving livestock

Whenever the Secretary of the Army considers that it can be done without injury to the reservation or inconvenience to the military forces stationed there, he may permit—

- (1) the landing of ferries at a military reservation;
- (2) the erection of bridges on a military reservation; and
- (3) the driving of livestock across a military reservation.

(Aug. 10, 1956, ch. 1041, 70A Stat. 270; Pub. L. 96-513, title V, §512(23), Dec. 12, 1980, 94 Stat. 2930.)