

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
102502	16 U.S.C. 18f-3(b).	July 1, 1955, ch. 259, §3(b), as added Pub. L. 104-333, div. I, title VIII, §804(b), Nov. 12, 1996, 110 Stat. 4188.

The words “museum collections” are omitted as unnecessary.

§ 102503. Authority of Secretary

(a) IN GENERAL.—Notwithstanding other provisions or limitations of law, the Secretary may perform the functions described in this section in the manner that the Secretary considers to be in the public interest.

(b) DONATIONS AND BEQUESTS.—The Secretary may accept donations and bequests of money or other personal property, and hold, use, expend, and administer the money or other personal property for purposes of this chapter.

(c) PURCHASES.—The Secretary may purchase museum objects and other personal property at prices that the Secretary considers to be reasonable.

(d) EXCHANGES.—The Secretary may make exchanges by accepting museum objects and other personal property and by granting in exchange for the museum objects or other personal property museum property under the administrative jurisdiction of the Secretary that no longer is needed or that may be held in duplicate among the museum properties administered by the Secretary. Exchanges shall be consummated on a basis that the Secretary considers to be equitable and in the public interest.

(e) ACCEPTANCE OF LOANS OF PROPERTY.—The Secretary may accept the loan of museum objects and other personal property and pay transportation costs incidental to the museum objects or other personal property. Loans shall be accepted on terms and conditions that the Secretary considers necessary.

(f) LOANS OF PROPERTY.—The Secretary may loan to responsible public or private organizations, institutions, or agencies, without cost to the United States, such museum objects and other personal property as the Secretary shall consider advisable. Loans shall be made on terms and conditions that the Secretary considers necessary to protect the public interest in those properties.

(g) TRANSFER OF MUSEUM OBJECTS.—The Secretary may transfer museum objects 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 for the purposes of this chapter from any other Federal agency, without reimbursement. The head of any other Federal agency may transfer, without reimbursement, museum objects directly to the administrative jurisdiction of the Secretary for the purpose of this chapter.

(h) CONVEYANCE OF MUSEUM OBJECTS.—The Secretary may convey museum objects that the Secretary determines are no longer needed for museum purposes, without monetary consideration but subject to such terms and conditions

as the Secretary considers necessary, to private institutions exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) 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 and subsection (g).

(i) DESTRUCTION OF MUSEUM OBJECTS.—The Secretary may destroy or cause to be destroyed museum objects that the Secretary determines to have no scientific, cultural, historic, educational, esthetic, or monetary value.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3158.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
102503(a) through (f).	16 U.S.C. 18f (less 1st sentence).	July 1, 1955, ch. 259, §1 (less 1st sentence), 69 Stat. 242; Pub. L. 104-333, div. I, title VIII, §804(a)(1), Nov. 12, 1996, 110 Stat. 4187.
102503(g) through (i).	16 U.S.C. 18f-2(a).	July 1, 1955, ch. 259, §2(a), as added Pub. L. 104-333, div. I, title VIII, §804(a)(2), Nov. 12, 1996, 110 Stat. 4187.

§ 102504. Review and approval

The Secretary shall ensure that museum objects are treated in a careful and deliberate manner that protects the public interest. Prior to taking any action under subsection (g), (h), or (i) of section 102503 of this title, 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 those subsections.

(Pub. L. 113-287, §3, Dec. 19, 2014, 128 Stat. 3159.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
102504	16 U.S.C. 18f-2(b).	July 1, 1955, ch. 259, §(2)(b), as added Pub. L. 104-333, div. I, title VIII, §804(a)(2), Nov. 12, 1996, 110 Stat. 4188.

CHAPTER 1027—LAW ENFORCEMENT AND EMERGENCY ASSISTANCE**SUBCHAPTER I—LAW ENFORCEMENT**

- Sec.
102701. Law enforcement personnel within System.
102702. Crime prevention assistance.

SUBCHAPTER II—EMERGENCY ASSISTANCE

102711. Authority of Secretary to use applicable appropriations for the System to render assistance to nearby law enforcement and fire prevention agencies and for related activities outside the System.
102712. Aid to visitors, grantees, permittees, or licensees in emergencies.

SUBCHAPTER I—LAW ENFORCEMENT**§ 102701. Law enforcement personnel within System**

(a) OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF THE INTERIOR.—

(1) DESIGNATION AUTHORITY OF SECRETARY.—The Secretary, pursuant to standards prescribed in regulations by the Secretary, may designate certain officers or employees of the Department of the Interior who shall maintain law and order and protect individuals and property within System units.

(2) POWERS AND DUTIES OF DESIGNEES.—In the performance of the duties described in paragraph (1), the designated officers or employees may—

(A) carry firearms;

(B) make arrests without warrant for any offense against the United States committed in the presence of the officer or employee, or for any felony cognizable under the laws of the United States if the officer or employee has reasonable grounds to believe that the individual to be arrested has committed or is committing the felony, provided the arrests occur within the System or the individual to be arrested is fleeing from the System to avoid arrest;

(C) execute any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law arising out of an offense committed in the System or, where the individual subject to the warrant or process is in the System, in connection with any Federal offense; and

(D) conduct investigations of offenses against the United States committed in the System in the absence of investigation of the offenses by any other Federal law enforcement agency having investigative jurisdiction over the offense committed or with the concurrence of the other agency.

(b) SPECIAL POLICE OFFICERS.—

(1) IN GENERAL.—The Secretary may designate officers and employees of any other Federal agency, or law enforcement personnel of a State or political subdivision of a State, when determined to be economical and in the public interest and with the concurrence of that agency, State, or subdivision, to—

(A) act as special police officers in System units when supplemental law enforcement personnel may be needed; and

(B) exercise the powers and authority provided by subparagraphs (A) to (D) of subsection (a)(2).

(2) COOPERATION WITH STATES AND POLITICAL SUBDIVISIONS.—The Secretary may—

(A) cooperate, within the System, with any State or political subdivision of a State in the enforcement of supervision of the laws or ordinances of that State or subdivision;

(B) mutually waive, in any agreement pursuant to subparagraph (A) and paragraph (1) or pursuant to subparagraphs (A) and (B) of subsection (a)(2) with any State or political subdivision of a State where State law requires the waiver and indemnification, all civil claims against all the other parties to the agreement and, subject to available appropriations, indemnify and save harmless the other parties to the agreement from all claims by third parties for property damage

or personal injury, that may arise out of the parties' activities outside their respective jurisdictions under the agreement; and

(C) provide limited reimbursement, to a State or political subdivisions of a State, in accordance with such regulations as the Secretary may prescribe, where the State has ceded concurrent legislative jurisdiction over the affected area of the System, for expenditures incurred in connection with its activities within the System that were rendered pursuant to paragraph (1).

(3) SUPPLEMENTAL AUTHORITY; DELEGATION OF SERVICE LAW ENFORCEMENT RESPONSIBILITIES NOT AUTHORIZED.—Paragraphs (1) and (2) supplement the law enforcement responsibilities of the Service and do not authorize the delegation of law enforcement responsibilities of the Service to State or local governments.

(4) SPECIAL POLICE OFFICERS NOT DEEMED FEDERAL EMPLOYEES.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, a law enforcement officer of a State or political subdivision of a State designated to act as a special police officer under paragraph (1) 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 benefits.

(B) EXCEPTIONS.—A law enforcement officer of a State or political subdivision of a State, when acting as a special police officer under paragraph (1), is deemed to be—

(i) a Federal employee for purposes of sections 1346(b) and 2401(b) and chapter 171 of title 28; and

(ii) a civil service employee of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, for purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, and the provisions of subchapter I of chapter 81 of title 5 shall apply.

(c) FEDERAL INVESTIGATIVE JURISDICTION AND STATE CIVIL AND CRIMINAL JURISDICTION NOT PREEMPTED.—This section and sections 100101(b), 100502, 100507, 100751(b), 100754, 100901(b) and (c), 100906(a) and (d), 101302(b)(1) and (c) to (e), 101306, 101702(b) and (c), 101901, 102102, and 102702 of this title shall not be construed or applied to limit or restrict the investigative jurisdiction of any Federal law enforcement agency other than the Service, and nothing shall be construed or applied to affect any right of a State or political subdivision of a State to exercise civil and criminal jurisdiction within the System.

(Pub. L. 113-287, § 3, Dec. 19, 2014, 128 Stat. 3159.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
102701	16 U.S.C. 1a-6.	Pub. L. 91-383, § 10, as added Pub. L. 94-458, § 2, Oct. 7, 1976, 90 Stat. 1941; Pub. L. 106-437, § 2, Nov. 6, 2000, 114 Stat. 1920; Pub. L. 108-352, § 11, Oct. 21, 2004, 118 Stat. 1397.

In subsection (a)(1), the words “In addition to any other authority conferred by law” are omitted as unnecessary.

§ 102702. Crime prevention assistance

(a) RECOMMENDATIONS FOR IMPROVEMENT.—The Secretary shall direct the chief official responsible for law enforcement within the Service to—

(1) compile a list of System units with the highest rates of violent crime;

(2) make recommendations concerning capital improvements, and other measures, needed within the System to reduce the rates of violent crime, including the rate of sexual assault; and

(3) publish the information required by paragraphs (1) and (2) in the Federal Register.

(b) DISTRIBUTION OF FUNDS.—Based on the recommendations and list issued pursuant to subsection (a), the Secretary shall distribute the funds authorized by subsection (d) throughout the System. Priority shall be given to areas with the highest rates of sexual assault.

(c) USE OF FUNDS.—Funds provided under this section may be used—

(1) to increase lighting within or adjacent to System units;

(2) to provide emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to System units;

(3) to increase security or law enforcement personnel within or adjacent to System units; or

(4) for any other project intended to increase the security and safety of System units.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Violent Crime Reduction Trust Fund not more than \$10,000,000 for the Secretary to take all necessary actions to seek to reduce the incidence of violent crime in the System.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3161.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
102702	16 U.S.C. 1a–7a.	Pub. L. 91–383, §13, as added Pub. L. 103–322, title IV, §40132, Sept. 13, 1994, 108 Stat. 1917.

SUBCHAPTER II—EMERGENCY ASSISTANCE

§ 102711. Authority of Secretary to use applicable appropriations for the System to render assistance to nearby law enforcement and fire prevention agencies and for related activities outside the System

To facilitate the administration of the System, the Secretary may use applicable appropriations for the System to render emergency rescue, firefighting, and cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside the System.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3162.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
102711	16 U.S.C. 1b (matter before (1)), (1).	Aug. 8, 1953, ch. 384, §1 (matter before (1)), (1), 67 Stat. 495; Pub. L. 91–383, §2(a), Aug. 18, 1970, 84 Stat. 826.

The words “and he may use applicable appropriations for the aforesaid system for the following purposes” are retained because the appropriation is to be used for something outside the System.

§ 102712. Aid to visitors, grantees, permittees, or licensees in emergencies

(a) VISITORS.—The Secretary may aid visitors within a System unit in an emergency, when no other source is available for the procurement of food or supplies, by the sale, at cost, of food or supplies in quantities sufficient to enable the visitors to reach safely a point where food or supplies can be purchased. Receipts from the sales shall be deposited as a refund to the appropriation current at the date of the deposit and shall be available for the purchase of similar food or supplies.

(b) GRANTEES, PERMITTEES, AND LICENSEES.—The Secretary may in an emergency, when no other source is available for the immediate procurement of supplies, materials, or special services, aid grantees, permittees, or licensees conducting operations for the benefit of the public in a System unit by the sale, at cost, including transportation and handling, of supplies, materials, or special services as may be necessary to relieve the emergency and ensure uninterrupted service to the public. Receipts from the sales shall be deposited as a refund to the appropriation current at the date of the deposit and shall be available for expenditure for System unit purposes.

(Pub. L. 113–287, § 3, Dec. 19, 2014, 128 Stat. 3162.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
102712(a)	16 U.S.C. 12.	July 3, 1926, ch. 792, §1, 44 Stat. 900.
102712(b)	16 U.S.C. 17c.	May 26, 1930, ch. 324, §4, 46 Stat. 382.

CHAPTER 1029—LAND TRANSFERS

Sec.

102901. Conveyance of property and interests in property in System units or related areas.

§ 102901. Conveyance of property and interests in property in System units or related areas

(a) FREEHOLD AND LEASEHOLD INTERESTS.—With respect to any property acquired by the Secretary within a System unit or related area, except property within national parks or within national monuments of scientific significance, the Secretary may convey a freehold or leasehold interest in the property, subject to such terms and conditions as will ensure the use of the property in a manner that is, in the judgment of the Secretary, consistent with the purpose for which the System unit or related area was authorized by Congress. The Secretary shall convey the interest to the highest bidder, in ac-