

“Chief of Staff of the Air Force” substituted in subsec. (a) for “Commanding General of the Army Air Forces” pursuant to act July 26, 1947, ch. 343, title II, §208(b), 61 Stat. 503, which transferred functions of Commanding General of the Army Air Forces to Chief of Staff, United States Air Force. Section 208(b) of act July 26, 1947 was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. See sections 8031 and 8034 of Title 10, Armed Forces.

“Federal Aviation Administration” substituted in subsec. (a) for “Federal Aviation Agency” pursuant to Pub. L. 89-670, §§3(e), 6(c)(1), Oct. 15, 1966, 80 Stat. 932, 938, which transferred all functions, powers, and duties of Federal Aviation Agency and of Administrator and other offices and officers thereof to Secretary of Transportation and established a Federal Aviation Administration in Department of Transportation. See section 106 of Title 49, Transportation.

#### APPROPRIATIONS

Act Aug. 12, 1946, ch. 955, §6, 60 Stat. 998, as amended by Pub. L. 89-509, pt. I, §10, July 19, 1966, 80 Stat. 311, provided that: “There is hereby authorized to be appropriated the sum of \$50,000 for the purposes of this Act [this subchapter] and there are hereby authorized to be appropriated annually hereafter such sums as may be necessary to maintain and administer said national air and space museum including salaries and all other necessary expenses.”

#### CONSTRUCTION OF MUSEUM CENTER

Pub. L. 104-222, Oct. 1, 1996, 110 Stat. 3025, provided that:

##### “SECTION 1. CONSTRUCTION OF MUSEUM CENTER.

“The Board of Regents of the Smithsonian Institution is authorized to construct the Smithsonian Institution National Air and Space Museum Dulles Center at Washington Dulles International Airport.

##### “SEC. 2. LIMITATION ON USE OF FUNDS.

“No appropriated funds may be used to pay any expense of the construction authorized by section 1.”

#### EXTENSION AT WASHINGTON DULLES INTERNATIONAL AIRPORT

Pub. L. 103-57, Aug. 2, 1993, 107 Stat. 279, provided that:

##### “SECTION 1. PLAN FOR NATIONAL AIR AND SPACE MUSEUM EXTENSION.

“The Board of Regents of the Smithsonian Institution shall have authority to plan and design an extension of the National Air and Space Museum at Washington Dulles International Airport.

##### “SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated for fiscal years beginning after September 30, 1993, a total of \$8,000,000 to carry out this Act.”

#### RATIFICATION OF COMPENSATION PAID HEAD OF MUSEUM

Pub. L. 89-509, pt. I, §11, July 19, 1966, 80 Stat. 311, provided that: “Payments of compensation heretofore made to the head of the National Air Museum at rates fixed by the Secretary of the Smithsonian Institution without regard to the Classification Act of 1949, as amended [chapter 51 and subchapter III of chapter 53 of Title 5, Government Organization and Employees] are hereby ratified and affirmed.”

### § 77a. Functions of museum

The national air and space museum shall memorialize the national development of aviation and space flight; collect, preserve, and display aeronautical and space flight equipment of historical interest and significance; serve as a repository for scientific equipment and data per-

taining to the development of aviation and space flight; and provide educational material for the historical study of aviation and space flight.

(Aug. 12, 1946, ch. 955, §2, 60 Stat. 998; Pub. L. 89-509, pt. I, §4, July 19, 1966, 80 Stat. 310.)

#### AMENDMENTS

1966—Pub. L. 89-509 substituted “national air and space museum” for “national air museum”, inserted “and space flight” after “aviation” wherever appearing, and substituted “aeronautical and space flight equipment” for “aeronautical equipment”.

### § 77b. Repealed. Pub. L. 89-509, pt. I, §5, July 19, 1966, 80 Stat. 310

Section, act Aug. 12, 1946, ch. 955, §3, 60 Stat. 998, directed Secretary of Smithsonian Institution to investigate and survey suitable lands and buildings for selection as a site for national air museum and to make recommendations to Congress.

#### CONSTRUCTION PLANS; LOCATION; DESIGN; SUPERVISION OF DRAWINGS AND SPECIFICATIONS; CONSTRUCTION; AUTHORIZATION AND TRANSFER OF APPROPRIATIONS

Pub. L. 85-935, Sept. 6, 1958, 72 Stat. 1794, as amended by Pub. L. 89-509, §§12, 13, July 19, 1966, 80 Stat. 311, 312, authorized and directed Regents of Smithsonian Institution to prepare plans and to construct a building for a National Air and Space Museum at a certain site with exact location to be approved by National Capital Planning Commission and design to be approved by Commission of Fine Arts and with supervision of work to be by Administrator of General Services Administration and also appropriated such sums as were necessary to carry out the work.

### § 77c. Museum board

#### (a) Seal; regulations; vacancies

The board is authorized to adopt an official seal which shall be judicially noticed and to make such bylaws, rules, and regulations as it deems necessary for the administration of its functions. The board may function notwithstanding vacancies and six members of the board shall constitute a quorum for the transaction of business.

#### (b) Annual report

The Smithsonian Institution shall include in its annual report of its operations to Congress a statement of the operations of said national air and space museum, including all public and private moneys received and disbursed.

(Aug. 12, 1946, ch. 955, §4, 60 Stat. 998; Pub. L. 89-509, pt. I, §§6, 7, July 19, 1966, 80 Stat. 310, 311.)

#### AMENDMENTS

1966—Subsec. (a). Pub. L. 89-509, §6, raised from three to six the number of board members required to constitute a quorum.

Subsec. (b). Pub. L. 89-509, §7, substituted “national air and space museum” for “national air museum”.

### § 77d. Transfer or loan of aeronautical or space flight equipment to museum

The heads of executive departments and independent agencies of the Government are authorized to transfer or loan to said national air and space museum without charge therefor, aircraft, spacecraft, aircraft and spacecraft parts, instruments, engines, or other aeronautical and space

flight equipment or records for exhibition, historical, or educational purposes.

(Aug. 12, 1946, ch. 955, §5(a), 60 Stat. 998; Pub. L. 89-509, pt. I, §8, July 19, 1966, 80 Stat. 311.)

#### CODIFICATION

Section consists of subsec. (a) of section 5 of act Aug. 12, 1946. Subsec. (b) of said section is set out as a note below.

#### AMENDMENTS

1966—Pub. L. 89-509 inserted “and independent agencies” after “departments”, “and space” after “national air”, “spacecraft,” after “aircraft,”, “and spacecraft” after “aircraft” in phrase “aircraft parts”, and “and space flight” after “aeronautical”.

#### ACCEPTANCE OF STATUE OF GENERAL MITCHELL

Act Aug. 12, 1946, ch. 955, §5(b), 60 Stat. 998, as amended by Pub. L. 89-509, pt. I, §9, July 19, 1966, 80 Stat. 311, provided that: “The Secretary of the Smithsonian Institution, with the advice of the Commission of Fine Arts, is authorized (1) to accept as a gift to the Smithsonian Institution from George H. Stephenson, of Philadelphia, Pennsylvania, a statue of Brigadier General William L. Mitchell of such character as may be deemed appropriate, and (2) without expense to the United States, to cause such statue to be erected at a suitable location on the grounds of the national air and space museum.”

#### SUBCHAPTER VIII—PALEONTOLOGICAL INVESTIGATIONS

##### § 78. Cooperation of Smithsonian Institution with State institutions for continuing paleontological investigations

The Secretary of the Smithsonian Institution is authorized to cooperate with any State, educational institution, or scientific organization in the United States for continuing paleontological investigations, and the excavation and preservation of fossil remains, in areas which will be flooded by the construction of Government dams or otherwise be made unavailable for such investigations because of such construction: *Provided*, That such investigations and activities shall not duplicate nor affect adversely similar operations being conducted by the Department of Interior in cooperation with the Smithsonian Institution.

(Aug. 15, 1949, ch. 427, §1, 63 Stat. 606.)

##### § 78a. Authorization of appropriations; availability of funds; limit on use of funds during fiscal year; supervision; rules and regulations

There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$65,000, which shall be available until expended for the above purposes: *Provided*, That at such time as the Smithsonian Institution is satisfied that any State agency, or any educational institution or scientific organization in any of the United States, is prepared to contribute to such investigation and when in its judgment such investigation shall appear meritorious, the Secretary of the Smithsonian Institution may make available for such investigation such amounts from this sum as shall be equal to the amounts contributed respectively by each such State agency, or educational institution or scientific organization: *Provided fur-*

*ther*, That the amount to be made available from this sum for such investigation in cooperation with each such State agency, or educational institution or scientific organization, shall not exceed \$10,000 in any fiscal year: *Provided further*, That all such cooperative work and division of the result thereof shall be under the direction of the Secretary of the Smithsonian Institution: *Provided further*, That where lands are involved which are controlled by the Government of the United States, cooperative work thereon shall be under the provisions of section 1866(b) of title 18 and sections 320302 and 320303 of title 54, and rules and regulations pertaining thereto.

(Aug. 15, 1949, ch. 427, §2, 63 Stat. 606; Pub. L. 113-287, §5(e)(1), Dec. 19, 2014, 128 Stat. 3268.)

#### AMENDMENTS

2014—Pub. L. 113-287 substituted “section 1866(b) of title 18 and sections 320302 and 320303 of title 54” for “the Act of June 8, 1906 (16 U.S.C. 432, 433)”.

#### SUBCHAPTER IX—CANAL ZONE BIOLOGICAL AREA

##### § 79. Barro Colorado Island in Gatun Lake to be set aside

The President is authorized and directed to set aside within the Canal Zone an area in Gatun Lake known as Barro Colorado Island in which the natural features shall, except in event of declared national emergency, be left in their natural state for scientific observation and investigation.

(July 2, 1940, ch. 516, §1, 54 Stat. 724.)

#### REFERENCES IN TEXT

For definition of Canal Zone, referred to in text, see section 3602(b) of Title 22, Foreign Relations and Inter-course.

#### CODIFICATION

Section was formerly classified to section 1381 of Title 48, Territories and Insular Possessions.

#### TERMINATION OF WAR AND EMERGENCIES

Joint Res. July 25, 1947, ch. 327, §3, 61 Stat. 451, provided that in the interpretation of this section, the date July 25, 1947, shall be deemed to be the date of termination of any state of war theretofore declared by Congress and of the national emergencies proclaimed by the President on Sept. 8, 1939, and May 27, 1941.

##### § 79a. Preservation of natural features for scientific observation and investigation

The purpose of setting aside such an area is to preserve and conserve its natural features, including existing flora and fauna, in as nearly a natural condition as possible, thus providing a place where duly qualified students can make observations and scientific investigations for increase of knowledge, under such conditions and regulations as may be prescribed by the Smithsonian Institution.

(July 2, 1940, ch. 516, §2, 54 Stat. 724; 1946 Reorg. Plan No. 3, §801, eff. July 16, 1946, 11 F.R. 7877, 60 Stat. 1101.)

#### CODIFICATION

Section was formerly classified to section 1382 of Title 48, Territories and Insular Possessions.