

**§ 7142. National Atomic Museum and National Atomic Testing Museum**

**(a) Recognition and status**

The museum operated by the Department of Energy and currently located at Building 20358 on Wyoming Avenue South near the corner of M street within the confines of the Kirtland Air Force Base (East), Albuquerque, New Mexico—

- (1) is recognized as the official atomic museum of the United States;
- (2) shall be known as the “National Atomic Museum”; and
- (3) shall have the sole right throughout the United States and its possessions to have and use the name “National Atomic Museum”.

**(b) Volunteers**

(1) In operating the National Atomic Museum, the Secretary of Energy may—

(A) recruit, train, and accept the services of individuals without compensation as volunteers for, or in aid of, interpretive functions or other services or activities of and related to the museum; and

(B) provide to volunteers incidental expenses, such as nominal awards, uniforms, and transportation.

(2) Except as provided in paragraphs (3) and (4), a volunteer who is not otherwise employed by the Federal Government is not subject to laws relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, because of service as a volunteer under this subsection.

(3) For purposes of chapter 171 of title 28 (relating to tort claims), a volunteer under this subsection is considered a Federal employee.

(4) For the purposes of subchapter I of chapter 81 of title 5 (relating to compensation for work-related injuries), a volunteer under this subsection is considered an employee of the United States.

**(c) Authority**

(1) In operating the National Atomic Museum, the Secretary of Energy may—

(A) accept and use donations of money or gifts pursuant to section 7262<sup>1</sup> of this title, if such gifts or money are designated in a written document signed by the donor as intended for the museum, and such donations or gifts are determined by the Secretary to be suitable and beneficial for use by the museum;

(B) operate a retail outlet on the premises of the museum for the purpose of selling or distributing mementos, replicas of memorabilia, literature, materials, and other items of an informative, educational, and tasteful nature relevant to the contents of the museum; and

(C) exhibit, perform, display, and publish information and materials concerning museum mementos, items, memorabilia, and replicas thereof in any media or place anywhere in the world, at reasonable fees or charges where feasible and appropriate, to substantially cover costs.

(2) The net proceeds of activities authorized under subparagraphs (B) and (C) of paragraph (1)

may be used by the National Atomic Museum for activities of the museum.

**(d) Recognition and status of National Atomic Testing Museum**

The museum operated by the Nevada Test Site Historical Foundation and located in Las Vegas, Nevada—

- (1) is recognized as the official atomic testing museum of the United States; and
- (2) shall be known as the “National Atomic Testing Museum”.

(Pub. L. 102-190, div. C, title XXXI, §3137, Dec. 5, 1991, 105 Stat. 1578; Pub. L. 103-35, title II, §203(b)(4), May 31, 1993, 107 Stat. 102; Pub. L. 112-81, div. C, title XXXI, §3114, Dec. 31, 2011, 125 Stat. 1709.)

REFERENCES IN TEXT

Section 7262 of this title, referred to in subsec. (c)(1)(A), was repealed by Pub. L. 104-206, title V, §502, Sept. 30, 1996, 110 Stat. 3002.

CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Years 1992 and 1993, and not as part of the Department of Energy Organization Act which comprises this chapter.

AMENDMENTS

2011—Pub. L. 112-81, §3114(1), inserted “and National Atomic Testing Museum” after “Atomic Museum” in section catchline.

Subsec. (d). Pub. L. 112-81, §3114(2), added subsec. (d). 1993—Subsec. (c)(1). Pub. L. 103-35 struck out comma after “Secretary of Energy” in introductory provisions.

**§ 7142a. Designation of American Museum of Science and Energy**

**(a) In general**

The Museum—

- (1) is designated as the “American Museum of Science and Energy”; and
- (2) shall be the official museum of science and energy of the United States.

**(b) References**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Museum is deemed to be a reference to the “American Museum of Science and Energy”.

**(c) Property of the United States**

**(1) In general**

The name “American Museum of Science and Energy” is declared the property of the United States.

**(2) Use**

The Museum shall have the sole right throughout the United States and its possessions to have and use the name “American Museum of Science and Energy”.

**(3) Effect on other rights**

This subsection shall not be construed to conflict or interfere with established or vested rights.

(Pub. L. 106-554, §1(a)(4) [div. B, title IV, §401], Dec. 21, 2000, 114 Stat. 2763, 2763A-266.)

CODIFICATION

Section was enacted as part of the Miscellaneous Appropriations Act, 2001, and also as part of the Consoli-

<sup>1</sup> See References in Text note below.