

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7216	5 U.S.C. 418.	R.S. 428; R.S. 1554; R.S. 1555.

The words “from time to time cause to be”, “transmitted to him”, and “for the purpose of being” are omitted as surplusage. The words “Marine Corps” are inserted for clarity, since the provision is interpreted as applicable thereto.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7216 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8617. National Museum of the United States Navy

(a) **AUTHORITY TO SUPPORT DEVELOPMENT AND OPERATION OF MUSEUM.**—(1) The Secretary of the Navy may select and enter into a contract, cooperative agreement, or other agreement with one or more eligible nonprofit organizations to support the development, design, construction, renovation, or operation of a multipurpose museum to serve as the National Museum of the United States Navy.

(2) The Secretary may—

(A) authorize a partner organization to contract for each phase of development, design, construction, renovation, or operation of the museum, or all such phases; or

(B) authorize acceptance of funds from a partner organization for each or all such phases.

(b) **PURPOSES OF MUSEUM.**—(1) The museum shall be used for the identification, curation, storage, and public viewing of artifacts and artwork of significance to the Navy, as agreed to by the Secretary of the Navy.

(2) The museum also may be used to support such education, training, research, and associated activities as the Secretary considers compatible with and in support of the museum and the mission of the Naval History and Heritage Command.

(c) **ACCEPTANCE UPON COMPLETION.**—Upon the satisfactory completion, as determined by the Secretary of the Navy, of any phase of the museum, and upon the satisfaction of any financial obligations incident thereto, the Secretary shall accept such phase of the museum from the partner organization, and all right, title, and interest in and to such phase of the museum shall vest in the United States. Upon becoming the property of the United States, the Secretary shall assume administrative jurisdiction over such phase of the museum.

(d) **LEASE AUTHORITY.**—(1) The Secretary of the Navy may lease portions of the museum to an eligible nonprofit organization for use in gen-

erating revenue for the support of activities of the museum and for such administrative purposes as may be necessary for support of the museum. Such a lease may not include any part of the collection of the museum.

(2) Any rent received by the Secretary under a lease under paragraph (1), including rent-in-kind, shall be used solely to cover or defray the costs of development, maintenance, or operation of the museum.

(e) **AUTHORITY TO ACCEPT GIFTS.**—(1) The Secretary of the Navy may accept, hold, administer, and spend any gift, devise, or bequest of real property, personal property, or money made on the condition that the gift, devise, or bequest be used for the benefit, or in connection with, the establishment, operation, or maintenance, of the museum. Section 2601 (other than subsections (b), (c), and (e)) of this title shall apply to gifts accepted under this subsection.

(2) The Secretary may display at the museum recognition for an individual or organization that contributes money to a partner organization, or an individual or organization that contributes a gift directly to the Navy, for the benefit of the museum, whether or not the contribution is subject to the condition that the recognition be provided. The Secretary shall prescribe regulations governing the circumstances under which contributor recognition may be provided, appropriate forms of recognition, and suitable display standards.

(3) The Secretary may authorize the sale of donated property received under paragraph (1). A sale under this paragraph need not be conducted in accordance with disposal requirements that would otherwise apply, so long as the sale is conducted at arms-length and includes an auditable transaction record.

(4) Any money received under paragraph (1) and any proceeds from the sale of property under paragraph (3) shall be deposited into a fund established in the Treasury to support the museum.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Navy may require such additional terms and conditions in connection with a contract, cooperative agreement, or other agreement under subsection (a) or a lease under subsection (d) as the Secretary considers appropriate to protect the interests of the United States.

(g) **USE OF NAVY INDICATORS.**—(1) In a contract, cooperative agreement, or other agreement under subsection (a) or a lease under subsection (d), the Secretary of the Navy may authorize, consistent with section 2260 (other than subsection (d)) of this title, a partner organization to enter into licensing, marketing, and sponsorship agreements relating to Navy indicators, including the manufacture and sale of merchandise for sale by the museum, subject to the approval of the Department of the Navy.

(2) No such licensing, marketing, or sponsorship agreement may be entered into if it would reflect unfavorably on the ability of the Department of the Navy, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or if the Secretary determines that the use of the Navy indicator would compromise the in-

tegrity or appearance of integrity of any program of the Department of the Navy.

(h) DEFINITIONS.—In this section:

(1) The term “eligible nonprofit organization” means an entity that—

(A) qualifies as an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986; and

(B) has as its primary purpose the preservation and promotion of the history and heritage of the Navy.

(2) The term “museum” means the National Museum of the United States Navy, including its facilities and grounds.

(3) The term “Navy indicator” includes trademarks and service marks, names, identities, abbreviations, official insignia, seals, emblems, and acronyms of the Navy and Marine Corps, including underlying units, and specifically includes the term “National Museum of the United States Navy”.

(4) The term “partner organization” means an eligible nonprofit organization with whom the Secretary of the Navy enters into a contract, cooperative agreement, or other agreement under subsection (a) or a lease under subsection (d).

(Added Pub. L. 117–81, div. B, title XXVIII, §2821, Dec. 27, 2021, 135 Stat. 2195.)

Editorial Notes

REFERENCES IN TEXT

Section 501(c)(3) of the Internal Revenue Code of 1986, referred to in subsec. (h)(1)(A), is classified to section 501(c)(3) of Title 26, Internal Revenue Code.

Statutory Notes and Related Subsidiaries

LEASE OR LICENSE OF UNITED STATES NAVY MUSEUM FACILITIES

Pub. L. 109–163, div. B, title XXVIII, §2852, Jan. 6, 2006, 119 Stat. 3530, as amended by Pub. L. 117–81, div. B, title XXVIII, §2822, Dec. 27, 2021, 135 Stat. 2197, provided that:

“(a) LEASES AND LICENSES AUTHORIZED.—The Secretary of the Navy may lease or license any portion of the facilities of a United States Navy museum to a foundation established to support that museum for the purpose of permitting the foundation to carry out the following activities:

“(1) Generation of revenue for that United States Navy museum through the rental of facilities to the public, commercial and non-profit entities, State and local governments, and other Federal agencies.

“(2) Performance of administrative activities in support of that United States Navy museum.

“(b) LIMITATION.—Activities carried out at a facility subject to a lease or license under subsection (a) must be consistent with the operations of the United States Navy museum of which the facility is a part.

“(c) CONSIDERATION.—The amount of consideration paid in a year by a foundation described in subsection (a) to the United States for the lease or license of facilities under subsection (a) may not exceed the actual cost, as determined by the Secretary, of the annual operation and maintenance of the facilities.

“(d) DEPOSIT AND USE OF PROCEEDS.—Consideration paid under subsection (c) shall be deposited into the appropriations account available for the operation and maintenance of the applicable United States Navy museum. The Secretary may use the amounts so deposited to cover costs associated with the operation and maintenance of that museum and its exhibits.

“(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a lease or license under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

“(f) UNITED STATES NAVY MUSEUM.—In this section, the term ‘United States Navy museum’ means a museum under the jurisdiction of the Secretary of Defense and operated through the Naval History and Heritage Command.”

§ 8619. Leases of waterfront property from States or municipalities

In leasing waterfront property from a State or municipality, the Secretary of the Navy may provide in the lease, where it is required by state law or municipal charter, that, as part or all of the consideration, any improvements placed upon the property by the United States become the property of the lessor when the lease, including any renewal, ends.

(Aug. 10, 1956, ch. 1041, 70A Stat. 446, §7219; renumbered §8619, Pub. L. 115–232, div. A, title VIII, §807(d)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7219	34 U.S.C. 521.	July 1, 1918, ch. 114, 40 Stat. 705 (2d par.).

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7219 of this title as this section.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

§ 8620. Gifts for welfare of enlisted members

The Secretary of the Navy may accept gifts for use in providing recreation, amusement, and contentment for enlisted members of the naval service. The fund “Ships’ Stores Profits, Navy” shall be credited with these gifts.

(Aug. 10, 1956, ch. 1041, 70A Stat. 446, §7220; renumbered §8620, Pub. L. 115–232, div. A, title VIII, §807(d)(1), Aug. 13, 2018, 132 Stat. 1836.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7220	5 U.S.C. 419a.	June 30, 1932, ch. 318, 47 Stat. 424 (2d proviso).

The words “and contributions from organizations, individuals, or others” are omitted as surplusage.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–232 renumbered section 7220 of this title as this section.