

ties of the Department to the extent he considers appropriate. He shall limit the use of financial assistance to providing funds necessary for such enterprises to bid for and obtain contracts or other agreements, and shall limit the amount of the financial assistance to any recipient to not more than 75 percent of such costs.

(2) The Secretary shall determine the rate of interest on loans under this section in consultation with the Secretary of the Treasury.

(3) The Secretary shall deposit into the Treasury as miscellaneous receipts amounts received in connection with the repayment and satisfaction of such loans.

**(f) Definitions**

As used in this section, the term—

(1) “minority” means any individual who is a citizen of the United States and who is Asian American, Native Hawaiian, a Pacific Islander, African American, Hispanic, Puerto Rican, Native American, or an Alaska Native;

(2) “minority business enterprise” means a firm, corporation, association, or partnership which is at least 50 percent owned or controlled by a minority or group of minorities; and

(3) “minority educational institution” means an educational institution with an enrollment in which a substantial proportion (as determined by the Secretary) of the students are minorities.

**(g) Authorization of appropriations**

There is authorized to be appropriated to the Secretary to carry out the functions of the Office not to exceed \$3,000,000 for fiscal year 1979, not to exceed \$5,000,000 for fiscal year 1980, and not to exceed \$6,000,000 for fiscal year 1981. Of the amounts so appropriated each fiscal year, not less than 50 percent shall be available for purposes of financial assistance under subsection (e).

(Pub. L. 95-91, title II, §211, as added Pub. L. 95-619, title VI, §641, Nov. 9, 1978, 92 Stat. 3284; amended Pub. L. 114-157, §1(a), May 20, 2016, 130 Stat. 393.)

**Editorial Notes**

**AMENDMENTS**

2016—Subsec. (f)(1). Pub. L. 114-157 substituted “Asian American, Native Hawaiian, a Pacific Islander, African American, Hispanic, Puerto Rican, Native American, or an Alaska Native” for “a Negro, Puerto Rican, American Indian, Eskimo, Oriental, or Aleut or is a Spanish speaking individual of Spanish descent”.

**§ 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.

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

112-81, div. C, title XXXI, § 3114, Dec. 31, 2011, 125 Stat. 1709.)

### Editorial Notes

#### 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.)

### Editorial Notes

#### CODIFICATION

Section was enacted as part of the Miscellaneous Appropriations Act, 2001, and also as part of the Consolidated Appropriations Act, 2001, and not as part of the Department of Energy Organization Act which comprises this chapter.

### § 7142b. Authority

To carry out the activities of the Museum, the Secretary may—

(1) accept and dispose of any gift, devise, or bequest of services or property, real or personal, that is—

(A) designated in a written document by the person making the gift, devise, or bequest as intended for the Museum; and

(B) determined by the Secretary to be suitable and beneficial for use by the Museum;

(2) operate a retail outlet on the premises of the Museum for the purpose of selling or distributing items (including mementos, food, educational materials, replicas, and literature) that are—

(A) relevant to the contents of the Museum; and

(B) informative, educational, and tasteful;

(3) collect reasonable fees where feasible and appropriate;

(4) exhibit, perform, display, and publish materials and information of or relating to the Museum in any media or place;

(5) consistent with guidelines approved by the Secretary, lease space on the premises of the Museum at reasonable rates and for uses consistent with such guidelines; and

(6) use the proceeds of activities authorized under this section to pay the costs of the Museum.

(Pub. L. 106-554, § 1(a)(4) [div. B, title IV, § 402], Dec. 21, 2000, 114 Stat. 2763, 2763A-267.)

### Editorial Notes

#### CODIFICATION

Section was enacted as part of the Miscellaneous Appropriations Act, 2001, and also as part of the Consolidated Appropriations Act, 2001, and not as part of the Department of Energy Organization Act which comprises this chapter.

### § 7142c. Museum volunteers

#### (a) Authority to use volunteers

The Secretary may recruit, train, and accept the services of individuals or entities as volunteers for services or activities related to the Museum.

#### (b) Status of volunteers

##### (1) In general

Except as provided in paragraph (2), service by a volunteer under subsection (a) shall not be considered Federal employment.

##### (2) Exceptions

###### (A) Federal Tort Claims Act

For purposes of chapter 171 of title 28, a volunteer under subsection (a) shall be treated as an employee of the Government (as defined in section 2671 of that title).

###### (B) Compensation for work injuries

For purposes of subchapter I of chapter 81 of title 5, a volunteer described in subsection (a) shall be treated as an employee (as defined in section 8101 of title 5).

#### (c) Compensation

A volunteer under subsection (a) shall serve without pay, but may receive nominal awards and reimbursement for incidental expenses, including expenses for a uniform or transportation in furtherance of Museum activities.

(Pub. L. 106-554, § 1(a)(4) [div. B, title IV, § 403], Dec. 21, 2000, 114 Stat. 2763, 2763A-267.)