

§ 33. Same; provisions governing use and payment of funds.

The provisions of sections 15j, 15l, 15m, 15o, and 15p of this title, relating to the use and payment of sums under sections 15i—15m and 15o—15q of this title, shall apply to sums appropriated under sections 31—33 of this title with such modifications as the Commissioner of Education, with the approval of the Federal Security Administrator, shall deem necessary to meet the special conditions existing in the Virgin Islands. (Mar. 18, 1950, ch. 71, § 3, 64 Stat. 27.)

Chapter 3.—SMITHSONIAN INSTITUTION, NATIONAL MUSEUMS AND ART GALLERIES

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GENERAL PROVISIONS

§ 53a. Appropriations.

Appropriations are authorized for the maintenance of the Astrophysical Observatory and the making of solar observations at high altitudes; for repairs and alterations of buildings and grounds occupied by the Smithsonian Institution in the District of Columbia and elsewhere; and for preparation of manuscripts, drawings, and illustrations for publications. (Aug. 22, 1949, ch. 494, § 2, 63 Stat. 623.)

§ 59. National Museum; Collection of Coast and Geodetic Survey, and Geological Survey.

TRANSFER OF FUNCTIONS

The functions of all officers of the Department of Commerce and all functions of all officers and employees of such Department, were, with a few exceptions, transferred to the Secretary of Commerce, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 5, §§ 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. —, set out in note under section 591 of Title 5, Executive Departments and Government Officers and Employees. The Coast and Geodetic Survey, referred to in this section, is an agency within the Department of Commerce.

All functions of all other officers of the Department of the Interior and all functions of all agencies and employees of such Department were, with two exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any

of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 3, §§ 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. —, set out in note under section 481 of Title 5, Executive Departments and Government Officers and Employees.

§ 60. Same; arms, matériel, equipment, etc., for.

CHANGE OF NAME

The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by act July 26, 1947, ch. 343, title II, § 205 (a), 61 Stat. 501.

§ 62. Instruments of Coast and Geodetic Survey; transfer authorized.

TRANSFER OF FUNCTIONS

The functions of all officers of the Department of Commerce and all functions of all officers and employees of such Department, were, with a few exceptions, transferred to the Secretary of Commerce, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 5, §§ 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. —, set out in note under section 591 of Title 5, Executive Departments and Government Officers and Employees. The Coast and Geodetic Survey, referred to in this section, is an agency within the Department of Commerce.

§ 63. Transfer of instruments to educational institutions and museums.

CODIFICATION

Section has been transferred to section 608 of Title 5, Executive Departments and Government Officers and Employees.

§ 64. Distribution of specimens to schools and colleges.

TRANSFER OF FUNCTIONS

All functions of all other officers of the Department of the Interior and all functions of all agencies and employees of such Department were, with two exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 3, §§ 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. —, set out in note under section 481 of Title 5, Executive Departments and Government Officers and Employees.

§ 66. Repealed. June 30, 1949, ch. 288, title VI, § 602 (a) (19), 63 Stat. 400, eff. July 1, 1949, renumbered Sept. 5, 1950, ch. 849, § 6 (a) (b), 64 Stat. 583.

Section is now covered by chapter 4 of Title 41, Public Contracts.

§ 69. Ethnological researches among American Indians; cooperation of Institution with States, educational institutions, and scientific organizations.

The Secretary of the Smithsonian Institution is hereby authorized to cooperate with any State, educational institution, or scientific organization in the United States to continue independently or in cooperation anthropological researches among the American Indians and the natives of lands under the jurisdiction or protection of the United States and the excavation and preservation of archaeological remains. (As amended Aug. 22, 1949, ch. 494, § 1, 63 Stat. 623.)

AMENDMENTS

1949—Act Aug. 22, 1949, cited to text, amended section by substituting "to continue independently or in cooperation anthropological", and by inserting "and the natives * * * the United States:":

SMITHSONIAN GALLERY OF ART

§§ 76b, 76d.

TRANSFER OF FUNCTIONS

All functions of the Federal Works Agency and of all agencies thereof, together with all functions of the Federal Works Administrator were transferred to the Administrator of General Services by section 103 (a) of Act June 30, 1949, ch. 288, title I, 63 Stat. 380. Both the Federal Works Agency and the office of Federal Works Administrator were abolished by section 103 (b) of said Act. Said section 103 is set out as section 213 of Title 41, Public Contracts.

NATIONAL AIR MUSEUM

§ 77. Establishment of national air museum; administration; officers and employees.

TRANSFER OF FUNCTIONS

The functions of the Commanding General of the Army Air Forces were transferred to the Chief of Staff, United States Air Force, by act July 26, 1947, ch. 343, title II, § 208 (b), 61 Stat. 503.

PALEONTOLOGICAL INVESTIGATIONS [NEW]

§ 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. 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 further*, 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 sections 431-433 of Title 16, and rules and regulations pertaining thereto. (Aug. 15, 1949, ch. 427, § 2, 63 Stat. 606.)

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.)

TERMINATION OF WAR AND EMERGENCIES

Joint Res. July 25, 1947, ch. 327, § 3, 61 Stat. 151, 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 September 8, 1939, and May 27, 1941.

§ 79a. Preservation of natural features of 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.)

TRANSFER OF FUNCTIONS

"Smithsonian Institution" was substituted for "Board of Directors of the Canal Zone Biological Area" by 1946 Reorg. Plan No. 3, cited to text. See note, under section 1383 of this title.

§ 79b. Functions of Smithsonian Institution.

The Smithsonian Institution shall (a) determine the policy, prescribe conditions under which studies may be pursued within the area, and promulgate regulations for carrying out the purposes of sections 79-79e of this title; (b) be responsible for the construction and maintenance of laboratory and other facilities on the area provided for the use of students authorized to carry on studies within the confines of the area; (c) deposit into the Treasury of the United States sums donated or subscribed or collected to be expended for carrying out the purposes of said sections; (d) in its discretion, fixed charges that may be made for use of laboratory or other facilities provided students authorized to make observations and investigations within the prescribed area and provide for the collection of such sums for deposit into the Treasury of the United States; (e) make such disposal of any moneys donated, subscribed, collected, or otherwise provided

as in its judgment is to the best interest in carrying out the purpose of said sections: *Provided*, That sums contributed or appropriated for specific purposes shall be used for such purpose only; and (f) submit to the Congress of the United States not later than the 15th day of each January a report of activities and operations during the preceding year. (July 2, 1940, ch. 516, § 4, 54 Stat. 724; 1946 Reorg. Plan No. 3, § 801, eff. July 16, 1946, 11 F. R. 7877, 60 Stat. 1101.)

TRANSFER OF FUNCTIONS

"Smithsonian Institution" was substituted for "Board of Directors of the Canal Zone Biological Area" and former clause (a) which provided for annual meetings of the Board was superseded by 1946 Reorg. Plan No. 3, cited to text. See note under section 1383 of this title.

§ 79c. Resident manager; powers and duties; compensation.

The Smithsonian Institution may select and designate a resident manager to assist in carrying out the policy, conditions, and regulations approved by it in compliance with the purposes of sections 79—79e of this title. The resident manager shall receive such compensation for his services as may be allowed by the Smithsonian Institution. (July 2, 1940, ch. 516, § 5, 54 Stat. 725; 1946 Reorg. Plan No. 3, § 801, eff. July 16, 1946, 11 F. R. 7877, 60 Stat. 1101.)

TRANSFER OF FUNCTIONS

References to the "Board of Directors of the Canal Zone Biological Area" and its "executive officer" were changed to "Smithsonian Institution" and provisions for the appointment and compensation of said executive officer were superseded by 1946 Reorg. Plan No. 3, cited to text. See note under section 79a of this title.

§ 79d. Deposit of receipts into Treasury; disbursements.

All moneys received by donation, subscription, fees, or otherwise, except the moneys appropriated pursuant to section 79e of this title, for carrying out the purposes of sections 79—79e of this title shall be deposited into the Treasury as trust funds and are appropriated for such purposes. Disbursements of such funds shall be made by the Secretary of the Treasury through the Division of Disbursement on requisitions or vouchers signed by or on authority of the Smithsonian Institution. (July 2, 1940, ch. 516, § 6, 54 Stat. 725; 1946 Reorg. Plan No. 3, § 801, eff. July 16, 1946, 11 F. R. 7877, 60 Stat. 1101.)

TRANSFER OF FUNCTIONS

"Smithsonian Institution" was substituted for "executive officer of the Board of Directors of the Canal Zone Biological Area" by 1946 Reorg. Plan No. 3, cited to text. See note under section 1383 of this title.

§ 79e. Appropriation.

There is authorized to be appropriated annually, from money in the Treasury of the United States not otherwise appropriated, not to exceed \$10,000 for expenses necessary in the administration of sections 79—79e of this title and for the maintenance of laboratory or other facilities provided for carrying out the purposes of said section. (July 2, 1940, ch. 516, § 7, 54 Stat. 725.)

Chapter 5.—GOVERNMENT COLLECTIONS AND INSTITUTIONS FOR RESEARCH, AND MATERIAL FOR EDUCATIONAL INSTITUTIONS

§ 91. Literary and scientific collections accessible to investigators and students.

TRANSFER OF FUNCTIONS

The functions of all other officers of the Department of Commerce and all functions of all agencies and employees of such Department were, with a few exceptions, transferred to the Secretary of Commerce, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 5, §§ 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. —, set out in note under section 591 of Title 5, Executive Departments and Government Officers and Employees. The Patent Office, and the Coast and Geodetic Survey, referred to in this section, are agencies within the Department of Commerce.

All functions of all other officers of the Department of the Interior and all functions of all agencies and employees of such Department were, with two exceptions, transferred to the Secretary of the Interior, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 3, §§ 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. —, set out in note under section 481 of Title 5, Executive Departments and Government Officers and Employees.

§ 92. Admission to marine biological station for pursuit of investigations.

TRANSFER OF FUNCTIONS

The Bureau of Fisheries in the Department of Commerce which administered the marine biological station referred to in the text under the supervision of the Secretary of Commerce was transferred to the Department of the Interior under the direction of the Secretary of the Interior by 1939 Reorg. Plan No. II, § 4 (e), eff. July 1, 1939, 4 F. R. 2731, 53 Stat. 1433. By 1940 Reorg. Plan No. III, § 3, eff. June 30, 1940, 5 F. R. 2107, 54 Stat. 1231, the Bureau of Fisheries was consolidated with the Bureau of Biological Survey into the Fish and Wildlife Service in the Department of the Interior and under the supervision of the Secretary of the Interior.

STATION AT SARASOTA, FLORIDA

The Fish and Wildlife Service established a marine biological station at Sarasota, Florida, during the year 1948.

§ 93. Sale of machine tools to trade, technical, and public schools and universities; conditions.

CODIFICATION

Section has been transferred to section 1180a of Title 10, Army and Air Force.

§ 94. Transfer of obsolete aeronautical equipment to museums, schools, and colleges.

CODIFICATION

Section has been transferred to section 1180b of Title 10, Army and Air Force.

Chapter 8.—HOWARD UNIVERSITY

§ 123. Annual appropriations; inspection by Office of Education.

Annual appropriations are authorized to aid in the construction, development, improvement, and maintenance of the university, no part of which shall be used for religious instruction. The university shall at all times be open to inspection by the Office of Education and shall be inspected by the said officers at least once each year. (Mar. 2, 1867, ch. 162, § 8,