

(b) **AUTHORITY TO GRANT LICENSES.**—The Commission may grant exclusive and nonexclusive licenses in connection with any mark, copyright, patent, or license for the use of such mark, copyright or patent, except to the extent the grant of such license by the Commission would be contrary to any contract or license by which the use of the mark, copyright, or patent was obtained.

(c) **ENFORCEMENT AUTHORITY.**—The Commission may enforce any mark, copyright, or patent by an action in the district courts under any law providing for the protection of such marks, copyrights, or patents.

(d) **LEGAL REPRESENTATION.**—The Attorney General shall furnish the Commission with such legal representation as the Commission may require under subsection (c). The Secretary of Defense shall provide representation for the Commission in administrative proceedings before the Patent and Trademark Office and Copyright Office.

(e) **IRREVOCABILITY OF TRANSFERS OF COPYRIGHTS TO COMMISSION.**—Section 203 of title 17 shall not apply to any copyright transferred in any manner to the Commission.

(Added Pub. L. 106–117, title VI, §603(a), Nov. 30, 1999, 113 Stat. 1579.)

CHAPTER 23—UNITED STATES HOLOCAUST MEMORIAL MUSEUM

Sec.	
2301.	Establishment of the United States Holocaust Memorial Museum; functions.
2302.	Functions of the Council; membership.
2303.	Compensation; travel expenses; full-time officers or employees of United States or Members of Congress.
2304.	Administrative provisions.
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2306.	Insurance for Museum.
2307.	Gifts, bequests, and devises of property; tax treatment.
2308.	Annual report.
2309.	Audit of financial transactions.
2310.	Authorization of appropriations.

PRIOR PROVISIONS

A prior chapter 23, consisting of sections 2301 to 2309, related to the United States Holocaust Memorial Council, prior to the general amendment of this chapter by Pub. L. 106–292, §1.

AMENDMENTS

2006—Pub. L. 109–284, §5(3), Sept. 27, 2006, 120 Stat. 1211, substituted “Museum” for “museum” in item 2306.

§ 2301. Establishment of the United States Holocaust Memorial Museum; functions

The United States Holocaust Memorial Museum (hereafter in this chapter referred to as the “Museum”) is an independent establishment of the United States Government. The Museum shall—

(1) provide for appropriate ways for the Nation to commemorate the Days of Remembrance, as an annual, national, civic commemoration of the Holocaust, and encourage and sponsor appropriate observances of such Days of Remembrance throughout the United States;

(2) operate and maintain a permanent living memorial museum to the victims of the Holocaust, in cooperation with the Secretary of the Interior and other Federal agencies as provided in section 2306¹ of this title; and

(3) carry out the recommendations of the President’s Commission on the Holocaust in its report to the President of September 27, 1979, to the extent such recommendations are not otherwise provided for in this chapter.

(Added Pub. L. 106–292, §1, Oct. 12, 2000, 114 Stat. 1030; amended Pub. L. 109–284, §5(4), Sept. 27, 2006, 120 Stat. 1211.)

PRIOR PROVISIONS

A prior section 2301, Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1277, related to the establishment and purposes of the Holocaust Memorial Council, prior to the general amendment of this chapter by Pub. L. 106–292.

AMENDMENTS

2006—Pub. L. 109–284 substituted “United States Government” for “United State Government” in introductory provisions.

TRANSFER OF AUDITORS WEST BUILDING (ANNEX 3); RESPONSIBILITY FOR REPAIRS AND ALTERATIONS

Pub. L. 101–45, title II, June 30, 1989, 103 Stat. 125, provided that:

“Notwithstanding any other provision of law, the Administrator of General Services (Administrator) shall transfer to the administrative jurisdiction of the Holocaust Memorial Council (Council), without consideration, the Auditors West Building (Annex 3) located at Raoul Wallenberg Place and Independence Avenue Southwest, Washington, District of Columbia.

“Prior to such transfer of jurisdiction to the Council, the Council shall agree to perform all necessary repairs and alterations to the Auditors West Building so as to renovate the exterior of the Auditors West Building in a manner consistent with preservation of the historic architecture of the building, and to preserve the structural integrity of the building. The Council, prior to such transfer, shall furnish to the Administrator, for his approval, a plan detailing the repairs and alterations proposed, dates for completion of the work, and funding availability.

“In the event the Council ceases to exist, administrative jurisdiction of the Auditors West Building (Annex 3) shall revert to the General Services Administration.”

§ 2302. Functions of the Council; membership

(a) **IN GENERAL.**—The United States Holocaust Memorial Council (hereafter in this chapter referred to as the “Council”) shall be the board of trustees of the Museum and shall have overall governance responsibility for the Museum, including policy guidance and strategic direction, general oversight of Museum operations, and fiduciary responsibility. The Council shall establish an Executive Committee which shall exercise ongoing governance responsibility when the Council is not in session.

(b) **COMPOSITION OF COUNCIL; APPOINTMENT; VACANCIES.**—The Council shall consist of 65 voting members appointed (except as otherwise provided in this section) by the President and the following ex officio nonvoting members:

(1) One appointed by the Secretary of the Interior.

¹ So in original. Section 2306 of this title does not relate to cooperation with the Secretary or other Federal agencies.

(2) One appointed by the Secretary of State.

(3) One appointed by the Secretary of Education.

Of the 65 voting members, five shall be appointed by the Speaker of the United States House of Representatives from among Members of the United States House of Representatives and five shall be appointed by the President pro tempore of the United States Senate upon the recommendation of the majority and minority leaders from among Members of the United States Senate. Any vacancy in the Council shall be filled in the same manner as the original appointment was made.

(c) TERM OF OFFICE.—

(1) Except as otherwise provided in this subsection, Council members shall serve for 5-year terms.

(2) The terms of the five Members of the United States House of Representatives and the five Members of the United States Senate appointed during any term of Congress shall expire at the end of such term of Congress.

(3) Any member appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A member, other than a Member of Congress appointed by the Speaker of the United States House of Representatives or the President pro tempore of the United States Senate, may serve after the expiration of his term until his successor has taken office.

(d) CHAIRPERSON AND VICE CHAIRPERSON; TERM OF OFFICE.—The Chairperson and Vice Chairperson of the Council shall be appointed by the President from among the members of the Council and such Chairperson and Vice Chairperson shall each serve for terms of 5 years.

(e) REAPPOINTMENT.—Members whose terms expire may be reappointed, and the Chairperson and Vice Chairperson may be reappointed to those offices.

(f) BYLAWS.—The Council shall adopt bylaws to carry out its functions under this chapter. The Chairperson may waive a bylaw when the Chairperson decides that waiver is in the best interest of the Council. Immediately after waiving a bylaw, the Chairperson shall send written notice of the waiver to every voting member of the Council. The waiver becomes final 30 days after the notice is sent unless a majority of Council members disagree in writing before the end of the 30-day period.

(g) QUORUM.—One-third of the members of the Council shall constitute a quorum, and any vacancy in the Council shall not affect its powers to function.

(h) ASSOCIATED COMMITTEES.—Subject to appointment by the Chairperson, an individual who is not a member of the Council may be designated as a member of a committee associated with the Council. Such an individual shall serve without cost to the Federal Government.

(Added Pub. L. 106-292, §1, Oct. 12, 2000, 114 Stat. 1031.)

PRIOR PROVISIONS

A prior section 2302, Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1277, related to the membership of the Holocaust

Memorial Council, prior to the general amendment of this chapter by Pub. L. 106-292.

§ 2303. Compensation; travel expenses; full-time officers or employees of United States or Members of Congress

(a) IN GENERAL.—Except as provided in subsection (b) of this section, members of the Council are each authorized to be paid the daily equivalent of the annual rate of basic pay in effect for positions at level IV of the Executive Schedule under section 5315 of title 5, for each day (including travel time) during which they are engaged in the actual performance of duties of the Council. While away from their homes or regular places of business in the performance of services for the Council, members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5.

(b) EXCEPTION.—Members of the Council who are full-time officers or employees of the United States or Members of Congress shall receive no additional pay by reason of their service on the Council.

(Added Pub. L. 106-292, §1, Oct. 12, 2000, 114 Stat. 1032.)

PRIOR PROVISIONS

A prior section 2303, Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1278, related to the Executive Director of the Holocaust Memorial Council, prior to the general amendment of this chapter by Pub. L. 106-292.

§ 2304. Administrative provisions

(a) EXPERTS AND CONSULTANTS.—The Museum may obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, at rates not to exceed the daily equivalent of the annual rate of basic pay in effect for positions at level IV of the Executive Schedule under section 5315 of title 5.

(b) AUTHORITY TO CONTRACT.—The Museum may, in accordance with applicable law, enter into contracts and other arrangements with public agencies and with private organizations and persons and may make such payments as may be necessary to carry out its functions under this chapter.

(c) ASSISTANCE FROM OTHER FEDERAL DEPARTMENTS AND AGENCIES.—The Secretary of the Smithsonian Institution, the Library of Congress, and the heads of all executive branch departments, agencies, and establishments of the United States may assist the Museum in the performance of its functions under this chapter.

(d) ADMINISTRATIVE SERVICES AND SUPPORT.—The Secretary of the Interior may provide administrative services and support to the Museum on a reimbursable basis.

(Added Pub. L. 106-292, §1, Oct. 12, 2000, 114 Stat. 1032.)

PRIOR PROVISIONS

A prior section 2304, Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1278, related to gifts, bequests, and devises of property to the Holocaust Memorial Council, prior to

the general amendment of this chapter by Pub. L. 106-292.

§ 2305. Staff

(a) ESTABLISHMENT OF THE MUSEUM DIRECTOR AS CHIEF EXECUTIVE OFFICER.—There shall be a director of the Museum (hereafter in this chapter referred to as the “Director”) who shall serve as chief executive officer of the Museum and exercise day-to-day authority for the Museum. The Director shall be appointed by the Chairperson of the Council, subject to confirmation of the Council. The Director may be paid with nonappropriated funds, and, if paid with appropriated funds shall be paid the rate of basic pay for positions at level IV of the Executive Schedule under section 5315 of title 5. The Director shall report to the Council and its Executive Committee through the Chairperson. The Director shall serve at the pleasure of the Council.

(b) APPOINTMENT OF EMPLOYEES.—The Director shall have authority to—

(1) appoint employees in the competitive service subject to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, relating to classification and general schedule pay rates;

(2) appoint and fix the compensation (at a rate not to exceed the rate of basic pay in effect for positions at level IV of the Executive Schedule under section 5315 of title 5) of up to three employees notwithstanding any other provision of law; and

(3) implement the decisions and strategic plan for the Museum, as approved by the Council, and perform such other functions as may be assigned from time-to-time by the Council, the Executive Committee of the Council, or the Chairperson of the Council, consistent with this legislation.

(Added Pub. L. 106-292, §1, Oct. 12, 2000, 114 Stat. 1032.)

PRIOR PROVISIONS

A prior section 2305, Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1278, related to the establishment of the memorial museum, prior to the general amendment of this chapter by Pub. L. 106-292.

§ 2306. Insurance for Museum

The Museum shall maintain insurance on the memorial museum to cover such risks, in such amount, and containing such terms and conditions as the Museum deems necessary.

(Added Pub. L. 106-292, §1, Oct. 12, 2000, 114 Stat. 1033.)

PRIOR PROVISIONS

A prior section 2306, Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1279, related to audits of the Holocaust Memorial Council, prior to the general amendment of this chapter by Pub. L. 106-292.

§ 2307. Gifts, bequests, and devises of property; tax treatment

The Museum may solicit, and the Museum may accept, hold, administer, invest, and use gifts, bequests, and devises of property, both real and personal, and all revenues received or

generated by the Museum to aid or facilitate the operation and maintenance of the memorial museum. Property may be accepted pursuant to this section, and the property and the proceeds thereof used as nearly as possible in accordance with the terms of the gift, bequest, or devise donating such property. Funds donated to and accepted by the Museum pursuant to this section or otherwise received or generated by the Museum are not to be regarded as appropriated funds and are not subject to any requirements or restrictions applicable to appropriated funds. For the purposes of Federal income, estate, and gift taxes, property accepted under this section shall be considered as a gift, bequest, or devise to the United States.

(Added Pub. L. 106-292, §1, Oct. 12, 2000, 114 Stat. 1033.)

PRIOR PROVISIONS

A prior section 2307, Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1279, provided for administrative provisions, prior to the general amendment of this chapter by Pub. L. 106-292.

§ 2308. Annual report

The Director shall transmit to Congress an annual report on the Director’s stewardship of the authority to operate and maintain the memorial museum. Such report shall include the following:

(1) An accounting of all financial transactions involving donated funds.

(2) A description of the extent to which the objectives of this chapter are being met.

(3) An examination of future major endeavors, initiatives, programs, or activities that the Museum proposes to undertake to better fulfill the objectives of this chapter.

(4) An examination of the Federal role in the funding of the Museum and its activities, and any changes that may be warranted.

(Added Pub. L. 106-292, §1, Oct. 12, 2000, 114 Stat. 1033.)

PRIOR PROVISIONS

A prior section 2308, Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1280, required the Executive Director to submit an annual report to Congress, prior to the general amendment of this chapter by Pub. L. 106-292.

§ 2309. Audit of financial transactions

Financial transactions of the Museum, including those involving donated funds, shall be audited by the Comptroller General as requested by Congress, in accordance with generally accepted auditing standards. In conducting any audit pursuant to this section, appropriate representatives of the Comptroller General shall have access to all books, accounts, financial records, reports, files and other papers, items or property in use by the Museum, as necessary to facilitate such audit, and such representatives shall be afforded full facilities for verifying transactions with the balances.

(Added Pub. L. 106-292, §1, Oct. 12, 2000, 114 Stat. 1034.)

PRIOR PROVISIONS

A prior section 2309, Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1280, related to authorization of appropriations,

prior to the general amendment of this chapter by Pub. L. 106-292.

§ 2310. Authorization of appropriations

To carry out the purposes of this chapter, there are authorized to be appropriated such sums as may be necessary. Notwithstanding any other provision of law, none of the funds authorized to carry out this chapter may be made available for construction. Authority to enter into contracts and to make payments under this chapter, using funds authorized to be appropriated under this chapter, shall be effective only to the extent, and in such amounts, as provided in advance in appropriations Acts.

(Added Pub. L. 106-292, §1, Oct. 12, 2000, 114 Stat. 1034.)

CHAPTER 25—PRESIDENT’S COMMITTEE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES

- Sec. 2501. Acceptance of voluntary services and money or property.
- 2502. Authorization of appropriations.

§ 2501. Acceptance of voluntary services and money or property

The President’s Committee on Employment of People With Disabilities—

- (1) notwithstanding section 1342 of title 31, may accept voluntary and uncompensated services; and
- (2) may solicit, accept, use, and dispose of any money or property the Committee receives.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1280; Pub. L. 105-354, §1(3), Nov. 3, 1998, 112 Stat. 3239.)

HISTORICAL AND REVISION NOTES
PUB. L. 105-225

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2501	36:155b.	July 11, 1949, ch. 302, §2, as added Nov. 7, 1988, Pub. L. 100-630, title III, §301(b)(3), 102 Stat. 3316.

In clause (2), the words “in the name of the Committee”, “in furtherance of this resolution”, “real, personal, or mixed, tangible or nontangible”, and “by gift, devise, bequest, or otherwise” are omitted as unnecessary.

PUB. L. 105-354

This amends section 2501(2) of title 36 to reflect a change made by section 413 of the Workforce Investment Act of 1998 (Public Law 105-220, Aug. 7, 1998, 112 Stat. 1241).

AMENDMENTS

1998—Par. (2). Pub. L. 105-354 inserted “solicit,” before “accept.”.

§ 2502. Authorization of appropriations

(a) GENERAL.—Amounts necessary for the work of the President’s Committee on Employment of People With Disabilities are authorized to be appropriated for the fiscal year ending September 30, 1997, to be expended in the manner and by agencies the President may direct.

(b) USES.—Amounts appropriated under this section are to be used to carry out the purposes of the National Disability Employment Awareness Month and to enable the President to provide the Committee with adequate personnel to assist in its activities, and otherwise to provide the Committee with the means of carrying out a program to promote the employment of individuals with disabilities, by—

- (1) creating interest throughout the United States in the rehabilitation and employment of such individuals; and
- (2) obtaining and maintaining cooperation from all public and private groups in the field.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1280.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2502	36:155a.	July 11, 1949, ch. 302, §1, 63 Stat. 409; Aug. 3, 1954, ch. 655, §5, 68 Stat. 665; Sept. 13, 1960, Pub. L. 86-772, 74 Stat. 913; June 24, 1964, Pub. L. 88-321, 78 Stat. 221; Nov. 8, 1965, Pub. L. 89-333, §14, 79 Stat. 1294; July 7, 1968, Pub. L. 90-391, §14, 82 Stat. 306; Oct. 21, 1986, Pub. L. 99-506, title IX, §902, 100 Stat. 1841; Nov. 7, 1988, Pub. L. 100-630, title III, §301(b)(1), (2), 102 Stat. 3316; June 6, 1991, Pub. L. 102-52, §9(b), 105 Stat. 263; Oct. 29, 1992, Pub. L. 102-569, title IX, §914, 106 Stat. 4488.

In subsection (a), authorizations of appropriations for fiscal years 1993-1996 are omitted as obsolete.

Subtitle II—Patriotic and National Organizations

PART A—GENERAL

Chapter	Sec.
101. General	10101

PART B—ORGANIZATIONS

201. Agricultural Hall of Fame	20101
202. Air Force Sergeants Association	20201
203. American Academy of Arts and Letters	20301
205. American Chemical Society	20501
207. American Council of Learned Societies	20701
209. American Ex-Prisoners of War	20901
210. American GI Forum of the United States	21001
211. American Gold Star Mothers, Incorporated	21101
213. American Historical Association	21301
215. American Hospital of Paris	21501
217. The American Legion	21701
219. The American National Theater and Academy	21901
221. The American Society of International Law	22101
223. American Symphony Orchestra League	22301
225. American War Mothers	22501
227. AMVETS (American Veterans)	22701
229. Army and Navy Union of the United States of America	22901