

***In the Senate of the United States,***

*October 26 (legislative day, September 22), 2000.*

*Resolved*, That the bill from the House of Representatives (H.R. 4940) entitled “An Act to designate the museum operated by the Secretary of Energy in Oak Ridge, Tennessee, as the ‘American Museum of Science and Energy’, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. DESIGNATION OF AMERICAN MUSEUM OF***  
2 ***SCIENCE AND ENERGY.***

3 *(a) IN GENERAL.—The Museum—*

4 *(1) is designated as the “American Museum of*  
5 *Science and Energy”; and*

6 *(2) shall be the official museum of science and*  
7 *energy of the United States.*

8 *(b) REFERENCES.—Any reference in a law, map, regu-*  
9 *lation, document, paper, or other record of the United*

1 *States to the Museum is deemed to be a reference to the*  
 2 *“American Museum of Science and Energy”.*

3 *(c) PROPERTY OF THE UNITED STATES.—*

4 *(1) IN GENERAL.—The name “American Mu-*  
 5 *seum of Science and Energy” is declared the property*  
 6 *of the United States.*

7 *(2) USE.—The Museum shall have the sole right*  
 8 *throughout the United States and its possessions to*  
 9 *have and use the name “American Museum of Science*  
 10 *and Energy”.*

11 *(3) EFFECT ON OTHER RIGHTS.—This subsection*  
 12 *shall not be construed to conflict or interfere with es-*  
 13 *tablished or vested rights.*

14 **SEC. 2. AUTHORITY.**

15 *To carry out the activities of the Museum, the Sec-*  
 16 *retary may—*

17 *(1) accept and dispose of any gift, devise, or be-*  
 18 *quest of services or property, real or personal, that*  
 19 *is—*

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

23 *(B) determined by the Secretary to be suit-*  
 24 *able and beneficial for use by the Museum;*

1           (2) *operate a retail outlet on the premises of the*  
2           *Museum for the purpose of selling or distributing*  
3           *items (including mementos, food, educational mate-*  
4           *rials, replicas, and literature) that are—*

5                     *(A) relevant to the contents of the Museum;*

6                     *and*

7                     *(B) informative, educational, and tasteful;*

8           (3) *collect reasonable fees where feasible and ap-*  
9           *propriate;*

10           (4) *exhibit, perform, display, and publish mate-*  
11           *rials and information of or relating to the Museum*  
12           *in any media or place;*

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

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

19 **SEC. 3. MUSEUM VOLUNTEERS.**

20           (a) *AUTHORITY TO USE VOLUNTEERS.—The Secretary*  
21           *may recruit, train, and accept the services of individuals*  
22           *or entities as volunteers for services or activities related to*  
23           *the Museum.*

24           (b) *STATUS OF VOLUNTEERS.—*

1           (1) *IN GENERAL.*—*Except as provided in para-*  
 2           *graph (2), service by a volunteer under subsection (a)*  
 3           *shall not be considered Federal employment.*

4           (2) *EXCEPTIONS.*—

5                   (A) *FEDERAL TORT CLAIMS ACT.*—*For pur-*  
 6                   *poses of chapter 171 of title 28, United States*  
 7                   *Code, a volunteer under subsection (a) shall be*  
 8                   *treated as an employee of the Government (as de-*  
 9                   *finied in section 2671 of that title).*

10                   (B) *COMPENSATION FOR WORK INJURIES.*—  
 11                   *For purposes of subchapter I of chapter 81 of*  
 12                   *title 5, United States Code, a volunteer described*  
 13                   *in subsection (a) shall be treated as an employee*  
 14                   *(as defined in section 8101 of title 5, United*  
 15                   *States Code).*

16           (c) *COMPENSATION.*—*A volunteer under subsection (a)*  
 17           *shall serve without pay, but may receive nominal awards*  
 18           *and reimbursement for incidental expenses, including ex-*  
 19           *penses for a uniform or transportation in furtherance of*  
 20           *Museum activities.*

21 **SEC. 4. DEFINITIONS.**

22           *For purposes of this Act:*

23                   (1) *MUSEUM.*—*The term “Museum” means the*  
 24                   *museum operated by the Secretary of Energy and lo-*

1        *cated at 300 South Tulane Avenue in Oak Ridge,*  
2        *Tennessee.*

3            (2) *SECRETARY.—The term “Secretary” means*  
4        *the Secretary of Energy or a designated representative*  
5        *of the Secretary.*

Attest:

*Secretary.*



106TH CONGRESS  
2D SESSION

**H. R. 4940**

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**AMENDMENT**