

such emblems, seals, and badges as have heretofore been used by the Illinois corporation referred to in section 478 of this title in carrying out its program, it being distinctly understood, however, that nothing in this chapter shall interfere or conflict with established or vested rights.

(Aug. 13, 1953, ch. 429, § 17, 67 Stat. 574.)

§ 478. Acquisition of assets and liabilities of existing corporation

The corporation may acquire the assets of the National Safety Council, Incorporated, a corporation organized under the laws of the State of Illinois, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the State of Illinois applicable thereto.

(Aug. 13, 1953, ch. 429, § 18, 67 Stat. 574.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 464, 467, 477 of this title.

§ 479. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Aug. 13, 1953, ch. 429, § 19, 67 Stat. 574.)

CHAPTER 22—PERSHING HALL MEMORIAL FUND

Sec.	
491.	Creation of fund; investments; payments to American Legion.
492.	Repealed.
493.	Transfer of Pershing Hall to jurisdiction, custody, and control of Department of Veterans Affairs.
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§ 491. Creation of fund; investments; payments to American Legion

Any balance remaining from the sum of \$482,032.92 authorized to be appropriated, by the Secretary of the Treasury, by section 1 of the Act approved June 28, 1935, chapter 323, 49 Stat. 426, for effecting a settlement of any indebtedness connected with Pershing Hall, a memorial already erected in Paris, France, under the auspices of the American Legion, Inc., to the commander in chief, officers, men and auxiliary services of the American Expeditionary Forces, to the end that such memorial as so freed from debt may be perpetuated, shall, after settlement of such indebtedness, be retained by the Secretary of the Treasury as a special fund to be known as the "Pershing Hall Memorial Fund." The Secretary of the Treasury is authorized (a) to invest and reinvest any part or all of the corpus of this fund so remaining in interest-bearing United States Government bonds and retain custody thereof; and (b) upon request of the American Legion, Inc., the Secretary of the Treasury shall pay to the National Treasurer of the Amer-

ican Legion, Inc., from time to time any part of the earnings upon the fund for use in the maintenance and/or perpetuation of Pershing Hall.

(June 28, 1935, ch. 323, § 2, 49 Stat. 426.)

REFERENCES IN TEXT

Section 1 of act June 28, 1935, ch. 323, 49 Stat. 426, referred to in text, provided: "That \$482,032.92 of the fund entitled 'Recreation fund—Army', created by the War Department Appropriation Act, approved March 4, 1933 [see 47 Stat. 1573], is hereby authorized to be appropriated by the Secretary of the Treasury for effecting a settlement of any indebtedness connected with Pershing Hall, a memorial already erected in Paris, France, under the auspices of the American Legion, Inc., to the commander in chief, officers, men and auxiliary services of the American Expeditionary Forces, to the end that such memorial as so freed from debt may be perpetuated: *Provided*, That the amount herein provided shall not be used for the purposes indicated herein, until the legal title to said property shall have been vested in the Government of the United States for the use and benefit of all American officers and enlisted men of the World War [World War I]."

CODIFICATION

In the original, section 2 of act June 28, 1935, read "Any balance remaining after settlement of such indebtedness shall be retained", etc. The descriptive language substituted largely therefor, at the beginning of this section, was taken from section 1 of that act, referred to in that descriptive language and set out above.

APPROPRIATIONS

Act Aug. 12, 1935, ch. 508, title I, § 1 (part), 49 Stat. 594, appropriated the sum of \$482,032.92 for the purposes of this section and of section 1 of act June 28, 1935, set out above, subject to the conditions set out in the proviso in section 1 of act June 28, 1935.

ABOLITION OF PERSHING HALL MEMORIAL FUND

The Pershing Hall Memorial Fund, established pursuant to this section, was abolished and the corpus and accrued interest was transferred to the Pershing Hall Revolving Fund. See section 493(d)(3) of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 493 of this title.

§ 492. Repealed. Pub. L. 86-533, § 1(2), June 29, 1960, 74 Stat. 245

Section, act June 28, 1935, ch. 323, § 3, 49 Stat. 426, required an itemized report of expenditures to be made to Congress on first day of each regular session.

§ 493. Transfer of Pershing Hall to jurisdiction, custody, and control of Department of Veterans Affairs

(a) In general

Pershing Hall, an existing memorial in Paris, France, owned by the United States, together with the personal property of such memorial, is hereby placed under the jurisdiction, custody, and control of the Department of Veterans Affairs so that the memorial to the commander-in-chief, officers, men, and auxiliary services of the American Expeditionary Forces in France during World War I may be continued in an appropriate manner and financial support be provided therefor.

(b) Administration

(1)(A) The Secretary of Veterans Affairs shall administer, operate, develop, and improve Per-

shing Hall and its site in such manner as the Secretary determines is in the best interests of the United States, which may include use of Pershing Hall to meet the needs of veterans. To meet such needs, the Secretary may establish and operate a regional or other office to disseminate information, respond to inquiries, and otherwise assist veterans and their families in obtaining veterans' benefits.

(B) To carry out the purposes of this section, the Secretary may enter into agreements authorized by subsection (c) of this section to fund the operation of the memorial and projects authorized by subsection (d)(6) of this section.

(2)(A) The Secretary shall, after consultation with the American Battle Monuments Commission, provide for a portion of Pershing Hall to be specifically dedicated, with appropriate exhibitions and monuments, to the memory of the commander-in-chief, officers, men, and auxiliary services of the American Expeditionary Forces in France during World War I.

(B) The establishment and continuing supervision of the memorial that is dedicated pursuant to subparagraph (A) shall be carried out by the American Battle Monuments Commission.

(3) To the extent that funds are available in the Pershing Hall Revolving Fund established by subsection (d) of this section, the Secretary may incur such expenses with respect to Pershing Hall as the Secretary determines necessary or appropriate.

(4) The Secretary of Veterans Affairs may provide the allowances and benefits described in section 707 of title 38 to personnel of the Department of Veterans Affairs who are United States citizens and are assigned by the Secretary to Pershing Hall.

(c) Leases

(1) The Secretary may enter into agreements as the Secretary determines necessary or appropriate for the operation, development, and improvement of Pershing Hall and its site, including the leasing of portions of the Hall for terms not to exceed 99 years in areas that are newly constructed or substantially rehabilitated and for not to exceed 20 years in other areas of the Hall.

(2) Leases entered into by the Secretary under this subsection shall be for consideration in the form of cash or in-kind, or a combination of the two, as determined by the Secretary, which shall include the value of space leased back to the Secretary by the lessee, net of rent paid by the Secretary, and the present value of the residual interest of the Secretary at the end of the lease term.

(d) Fund

(1) There is hereby established the Pershing Hall Revolving Fund to be administered by the Secretary of Veterans Affairs.

(2) There shall be transferred to the Pershing Hall Revolving Fund, at such time or times as the Secretary may determine without limitation as to year, amounts as determined by the Secretary, not to exceed \$1,000,000 in total, from funds appropriated to the Department of Veterans Affairs for the construction of major projects. The account from which any such amount is transferred shall be reimbursed

promptly from other funds as they become part of the Pershing Hall Revolving Fund.

(3) The Pershing Hall Memorial Fund, established in the Treasury of the United States pursuant to section 491 of this title, is hereby abolished and the corpus of the fund, including accrued interest, is transferred to the Pershing Hall Revolving Fund.

(4) Funds received by the Secretary from operation of Pershing Hall or from any lease or other agreement with respect to Pershing Hall shall be deposited in the Pershing Hall Revolving Fund.

(5) The Secretary of the Treasury shall invest any portion of the Revolving Fund that, as determined by the Secretary of Veterans Affairs, is not required to meet current expenses of the Fund. Each investment shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to principal and interest by the United States that, as determined by the Secretary of Veterans Affairs, has a maturity suitable for the Revolving Fund. The Secretary of the Treasury shall credit to the Revolving Fund the interest on, and the proceeds from the sale or redemption of, such obligations.

(6)(A) Subject to subparagraphs (B) and (C), the Secretary of Veterans Affairs may expend not more than \$100,000 from the Fund in any fiscal year upon projects, activities, and facilities determined by the Secretary to be in keeping with the mission of the Department.

(B) An expenditure under subparagraph (A) may be made only from funds that will remain in the Fund in any fiscal year after payment of expenses incurred with respect to Pershing Hall for such fiscal year and only after the reimbursement of all amounts transferred to the Fund under subsection (d)(2) of this section has been completed.

(C) An expenditure authorized by subparagraph (A) shall be reported by the Secretary to the Congress no later than November 1 of each year for the fiscal year ending on the previous September 30.

(e) Waiver

The Secretary may carry out the provisions of this section without regard to section 8122 of title 38, section 303b of title 40, sections 483 and 484 of title 40, or any other provision of law inconsistent with this section.

(Pub. L. 102-86, title IV, §403, Aug. 14, 1991, 105 Stat. 422; Pub. L. 103-79, §4, Aug. 13, 1993, 107 Stat. 772; Pub. L. 103-446, title XII, §1202(c), Nov. 2, 1994, 108 Stat. 4689.)

AMENDMENTS

1994—Subsec. (b)(4). Pub. L. 103-446 substituted “section 707 of title 38” for “section 235 of title 38”.

1993—Subsec. (c)(1). Pub. L. 103-79 substituted “99 years” for “35 years”.

CHAPTER 23—BOARD FOR FUNDAMENTAL EDUCATION

Sec. 501.	Corporation created.
502.	Completion of organization.
503.	Objects and purposes of corporation.
504.	Powers of corporation.
505.	Principal office; territorial scope of activities; agent for service of process.