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ENACTING CLAUSE

Pub. L. 105-225, §1, Aug. 12, 1998, 112 Stat. 1253, provided in part that: "Certain general and permanent laws of the United States, related to patriotic and national observances, ceremonies, and organizations, are revised, codified, and enacted as title 36, United States Code, 'Patriotic and National Observances, Ceremonies, and Organizations'".

LEGISLATIVE PURPOSE AND CONSTRUCTION

Pub. L. 105-354, §4, Nov. 3, 1998, 112 Stat. 3245, provided that:

"(a) NO SUBSTANTIVE CHANGE.—(1) Section 1 of this Act restates, without substantive change, laws enacted before September 5, 1998, that were replaced by section 1. Section 1 may not be construed as making a substantive change in the laws replaced.

"(2) Laws enacted after September 4, 1998, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

"(b) REFERENCES.—A reference to a law replaced by this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

"(c) CONTINUING EFFECT.—An order, rule, or regulation in effect under a law replaced by this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

"(d) ACTIONS AND OFFENSES UNDER PRIOR LAW.—An action taken or an offense committed under a law replaced by this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

"(e) INFERENCES.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a heading of the provision.

"(f) SEVERABILITY.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications."

Pub. L. 105-225, §5, Aug. 12, 1998, 112 Stat. 1499, provided that:

"(a) NO SUBSTANTIVE CHANGE.—Sections 1 and 2 of this Act restate, without substantive change, laws enacted before August 16, 1997, that were replaced by those sections. Those sections may not be construed as making a substantive change in the laws replaced. Laws enacted after August 15, 1997, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

"(b) REFERENCES.—A reference to a law replaced by section 1 or 2 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

"(c) CONTINUING EFFECT.—An order, rule, or regulation in effect under a law replaced by section 1 or 2 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

"(d) ACTIONS AND OFFENSES UNDER PRIOR LAW.—An action taken or an offense committed under a law replaced by section 1 or 2 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

"(e) INFERENCES.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a caption or catch line of the provision.

"(f) SEVERABILITY.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications."

REPEALS AND SAVINGS PROVISIONS

Pub. L. 105-354, §5(a), Nov. 3, 1998, 112 Stat. 3245, provided that: "The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal."

Pub. L. 105-354, §5(b), Nov. 3, 1998, 112 Stat. 3245, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Nov. 3, 1998.

Pub. L. 105-225, §6(a), Aug. 12, 1998, 112 Stat. 1499, provided that: "The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal."

Pub. L. 105-225, §6(b), Aug. 12, 1998, 112 Stat. 1499, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Aug. 12, 1998.

**Subtitle I—Patriotic and National
Observances and Ceremonies**

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PART A—OBSERVANCES AND CEREMONIES

**CHAPTER 1—PATRIOTIC AND NATIONAL
OBSERVANCES**

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PROC. NO. 4934. ARMED FORCES DAY

Proc. No. 4934, Apr. 16, 1982, 47 F.R. 16767, provided:
 Each year we Americans set aside one day to honor the brave and dedicated men and women of the Army, Navy, Air Force, Marine Corps and Coast Guard. They serve our nation with dignity, courage, and pride in duty stations throughout the world. The peace we enjoy today reminds us of their important role.
 NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America and Commander in Chief of the Armed Forces of the United States, continuing the precedent of my seven immediate predecessors in this Office, do hereby proclaim the third Saturday of each May as Armed Forces Day.
 I direct the Secretary of Defense on behalf of the Army, the Navy, the Air Force, and the Marine Corps, and the Secretary of Transportation on behalf of the Coast Guard, to plan for appropriate observances each year, with the Secretary of Defense responsible for soliciting the participation and cooperation of civil authorities and private citizens.
 I invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States, to provide for the observance of Armed Forces Day within their jurisdiction each year in an appropriate manner designed to increase public understanding and appreciation of the Armed Forces of the United States.
 I also invite national and local veterans, civic and other organizations to join in the observance of Armed Forces Day each year.
 I call upon all Americans not only to display the flag of the United States at their homes on Armed Forces Day, but also to learn about our system of defense, and about the men and women who sustain it, by attending and participating in the local observances of the day.

Proclamation 4571 of May 15, 1978, is hereby superseded.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of April, in the year of our Lord nineteen hundred and eighty-two and of the Independence of the United States of America the two hundred and sixth.

RONALD REAGAN.

EX. ORD. NO. 13072. WHITE HOUSE MILLENNIUM COUNCIL

Ex. Ord. No. 13072, Feb. 2, 1998, 63 F.R. 6041, provided:
 By the authority vested as me as President by the Constitution and the laws of the United States of America, and in order to announce the formation of a Council to recognize national and local projects that commemorate the millennium, it is hereby ordered as follows:

SECTION 1. *Policy.* The White House, the Department of Education, and all executive branch agencies shall lead the country in a national and educational celebration of our culture, democracy, and citizenry. The Federal Government has a special responsibility to inspire the American people to reflect upon and commemorate the achievements of this country's past and to celebrate the possibilities of the future. To carry forward this country's great democratic tradition and enrich the lives of our children and the children of the 21st century, the Federal Government shall encourage Americans to make plans to mark the new millennium in communities across America. By leading this country in a grand educational celebration of the past and future, the Federal Government has an unprecedented opportunity to energize and unite the Nation with a renewed sense of optimism in the accomplishments and promise of America.

SEC. 2. *White House Millennium Council.* (a) To enable the White House, the Department of Education, and executive branch agencies to provide national leadership in this historic time, I hereby announce the formation of the White House Millennium Council.

(b) The White House Millennium Council shall be composed of a Director, Deputy Director, administrative staff, and a representative from each of the following:

- (1) Department of State;
- (2) Department of the Treasury;
- (3) Department of Defense;
- (4) Department of Justice;
- (5) Department of the Interior;
- (6) Department of Agriculture;
- (7) Department of Commerce;
- (8) Department of Labor;
- (9) Department of Health and Human Services;
- (10) Department of Housing and Urban Development;
- (11) Department of Transportation;
- (12) Department of Energy;
- (13) Department of Education;
- (14) Department of Veterans Affairs;
- (15) Environmental Protection Agency;
- (16) Office of Management and Budget;
- (17) Small Business Administration;
- (18) United States Information Agency; and
- (19) General Services Administration.

At the Director's discretion, the Director may request other agencies to be represented on the Council.

(c) The mission of the Council is to lead the country in a celebration of the new millennium by initiating and recognizing national and local projects that contribute in educational, creative, and productive ways to America's commemoration of this historic time. To these ends, the Council shall:

- (1) Mark the 200th anniversary of the occupancy of the White House by American Presidents, the 200th anniversary of the establishment of the Federal capital city in Washington, D.C., and the 200th anniversary of the first meeting of the Congress in the Capitol, celebrating these events in the year 2000 as milestones in our democratic system of government;

(2) Plan events to recognize the history and past accomplishments of America that reflect upon the present forces shaping society and that encourage thoughtful planning for the future;

(3) Produce informational and resource materials to educate the American people concerning our Nation's past and to inspire thought concerning the future;

(4) Encourage communities and citizens to initiate and to participate in local projects that inspire Americans to remember their past achievements, understand the present challenges to society, and make concrete contributions to the next generations of their families, communities, and country;

(5) Work with Federal agencies, the Congress, elected officials, and all citizens to plan activities and programs that will unite the American people in contemplation and celebration of the next century and the new millennium;

(6) Make recommendations to the Secretary of the Interior regarding the provision of assistance from funds made available for Save America's Treasures in the Historic Preservation Fund to public and private entities that are protecting America's threatened cultural treasures. These treasures include significant documents, works of art, maps, journals, and historic structures that document and illuminate the history and culture of the United States;

(7) Encourage Federal agencies to develop programs to commemorate and celebrate the new millennium in ways consistent with their individual agency missions and that advance a more unified America in the 21st century;

(8) Encourage Federal agencies, through local branches and offices, to reach out into communities and inspire citizens to participate in grassroots activities and to give permanent gifts to the future;

(9) Work in partnership with private-sector and non-profit entities that initiate productive and worthwhile national and community-based efforts to commemorate the new millennium and encourage citizen participation, volunteerism, and philanthropy;

(10) Highlight public and private millennium initiatives that promote the goals of the Council; and

(11) Cooperate with other nations that are planning millennium events to expand the opportunities for international communication and understanding.

SEC. 3. *Administration.* To the extent permitted by law, the heads of executive departments and agencies shall provide such information and assistance as may be necessary for the Council to carry out its functions.

SEC. 4. *Judicial Review.* This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any other person.

WILLIAM J. CLINTON.

[For abolition of United States Information Agency (other than Broadcasting Board of Governors and International Broadcasting Bureau), transfer of functions, and treatment of references thereto, see sections 6531, 6532, and 6551 of Title 22, Foreign Relations and Inter-course.]

§ 101. American Heart Month

The President is requested to issue each year a proclamation—

(1) designating February as American Heart Month;

(2) inviting the chief executive officers of the States, territories, and possessions of the United States to issue proclamations designating February as American Heart Month; and

(3) urging the people of the United States to recognize the nationwide problem of heart and blood vessel diseases and to support all essential programs required to solve the problem.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1254.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
101	36:169b.	Dec. 30, 1963, Pub. L. 88-254, 77 Stat. 843.

In clause (2), the words "chief executive officers" are substituted for "Governors", and the words "territories, and possessions" are substituted for "territories", for clarity and consistency in the revised title and with other titles of the United States Code.

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-277, div. C, title I, §142(a), Oct. 21, 1998, 112 Stat. 2681-603, provided that: "This section [enacting section 220512 of this title, amending sections 220501, 220503 to 220506, 220509 to 220511, 220521 to 220524, and 220528 of this title, and enacting provisions set out as a note under section 220501 of this title] may be cited as the 'Olympic and Amateur Sports Act Amendments of 1998.'"

§ 102. Asian/Pacific American Heritage Month

(a) DESIGNATION.—May is Asian/Pacific American Heritage Month.

(b) PROCLAMATIONS.—The President is requested to issue each year a proclamation calling on the people of the United States, and the chief executive officers of each State of the United States, the District of Columbia, the Virgin Islands, Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, the Marshall Islands, Micronesia, and Palau are requested to issue each year proclamations calling on the people of their respective jurisdictions, to observe Asian/Pacific American Heritage Month with appropriate programs, ceremonies, and activities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1254.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
102(a)	36:169k(a).	Oct. 23, 1992, Pub. L. 102-450, §2, 106 Stat. 2251.
102(b)	36:169k(b)-(d).	

§ 103. Cancer Control Month

(a) GENERAL.—The President is requested—

(1) to issue each year a proclamation designating April as Cancer Control Month; and

(2) to invite each year the chief executive officers of the States, territories, and possessions of the United States to issue proclamations designating April as Cancer Control Month.

(b) CONTENTS OF PROCLAMATIONS.—As part of those proclamations, the chief executive officers and President are requested to invite the medical profession, the press, and all agencies and individuals interested in a national program for the control of cancer by education and other cooperative means to unite during Cancer Control Month in a public dedication to the program and in a concerted effort to make the people of the United States aware of the need for the program.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1255.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
103	36:150.	Mar. 28, 1938, ch. 56, 52 Stat. 148.

In subsection (a)(2), the words “chief executive officers” are substituted for “Governors” for clarity and consistency in the revised title and with other titles of the United States Code.

§ 104. Carl Garner Federal Lands Cleanup Day

(a) DESIGNATION.—The first Saturday after Labor Day is Carl Garner Federal Lands Cleanup Day.

(b) PROCLAMATION.—The President shall issue a proclamation calling on the people of the United States to observe Carl Garner Federal Lands Cleanup Day with appropriate programs, ceremonies, and activities. However, activities may be undertaken in individual States on a day other than the first Saturday after Labor Day if a manager of Federal land decides that an alternative date is more appropriate because of climatological or other factors.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1255.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
104(a)	36:169i (1st sentence).	Aug. 27, 1986, Pub. L. 99–402, § 3, 100 Stat. 910; Nov. 12, 1996, Pub. L. 104–333, § 806, 110 Stat. 4188.
104(b)	36:169i (last sentence).	

In subsection (b), the words “associated with Carl Garner Federal Lands Cleanup Day” are omitted as unnecessary.

§ 105. Child Health Day

The President is requested to issue each year a proclamation—

(1) designating the first Monday in October as Child Health Day; and

(2) inviting all agencies and organizations interested in child welfare to unite on Child Health Day in observing exercises that will make the people of the United States aware of the fundamental necessity of a year-round program to protect and develop the health of the children of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1255.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
105	36:143.	May 18, 1928, ch. 643, 45 Stat. 617; Sept. 22, 1959, Pub. L. 86–352, 73 Stat. 627.

§ 106. Citizenship Day

(a) DESIGNATION.—September 17 is Citizenship Day.

(b) PURPOSE.—Citizenship Day commemorates the formation and signing on September 17, 1787, of the Constitution and recognizes all who, by coming of age or by naturalization, have become citizens.

(c) PROCLAMATION.—The President may issue each year a proclamation calling on United States Government officials to display the flag of the United States on all Government buildings on Citizenship Day and inviting the people of the United States to observe Citizenship Day, in schools and churches, or other suitable places, with appropriate ceremonies.

(d) STATE AND LOCAL OBSERVANCES.—The civil and educational authorities of States, counties, cities, and towns are urged to make plans for the proper observance of Citizenship Day and for the complete instruction of citizens in their responsibilities and opportunities as citizens of the United States and of the State and locality in which they reside.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1255.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
106(a)	36:153 (1st par. 1st–13th words).	Feb. 29, 1952, ch. 49, § 1, 66 Stat. 9.
106(b)	36:153 (1st par. 14th word—words before “and the President”).	
106(c)	36:153 (1st par. words after “of citizenship”).	
106(d)	36:153 (2d, last pars.).	

In subsection (d), the text of 36:153 (last par.) is omitted as obsolete.

§ 107. Columbus Day

The President is requested to issue each year a proclamation—

(1) designating the second Monday in October as Columbus Day;

(2) calling on United States Government officials to display the flag of the United States on all Government buildings on Columbus Day; and

(3) inviting the people of the United States to observe Columbus Day, in schools and churches, or other suitable places, with appropriate ceremonies that express the public sentiment befitting the anniversary of the discovery of America.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1256.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
107	36:146.	Apr. 30, 1934, ch. 184, 48 Stat. 657.

In clause (1), the words “the 2d Monday in October” are substituted for “October 12” in the Act of April 30, 1934 (ch. 184, 48 Stat. 657), because of section 1(b) of the Act of June 28, 1968 (Public Law 90–363, 82 Stat. 250).

§ 108. Constitution Week

The President is requested to issue each year a proclamation—

(1) designating September 17 through September 23 as Constitution Week; and

(2) inviting the people of the United States to observe Constitution Week, in schools, churches, and other suitable places, with appropriate ceremonies and activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1256.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
108	36:159.	Aug. 2, 1956, ch. 875, 70 Stat. 932.

§ 109. Father’s Day

(a) DESIGNATION.—The third Sunday in June is Father’s Day.

(b) PROCLAMATION.—The President is requested to issue a proclamation—

(1) calling on United States Government officials to display the flag of the United States on all Government buildings on Father’s Day;

(2) inviting State and local governments and the people of the United States to observe Father’s Day with appropriate ceremonies; and

(3) urging the people of the United States to offer public and private expressions of Father’s Day to the abiding love and gratitude they have for their fathers.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1256.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
109(a)	36:142a (1st sentence).	Apr. 24, 1972, Pub. L. 92–278, 86 Stat. 124.
109(b)	36:142a (last sentence).	

In subsection (b)(1), the word “appropriate” is omitted as unnecessary.

In subsection (b)(2), the words “State and local governments” are substituted for “the governments of the States and communities” for consistency in the revised title and with other titles of the United States Code.

§ 110. Flag Day

(a) DESIGNATION.—June 14 is Flag Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation—

(1) calling on United States Government officials to display the flag of the United States on all Government buildings on Flag Day; and

(2) urging the people of the United States to observe Flag Day as the anniversary of the adoption on June 14, 1777, by the Continental Congress of the Stars and Stripes as the official flag of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1256.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
110(a)	36:157 (words before 1st comma).	Aug. 3, 1949, ch. 385, 63 Stat. 492.
110(b)	36:157 (words after 1st comma).	

§ 111. Gold Star Mother’s Day

(a) DESIGNATION.—The last Sunday in September is Gold Star Mother’s Day.

(b) PROCLAMATION.—The President is requested to issue a proclamation calling on United States Government officials to display the flag of the United States on all Government buildings, and the people of the United States to display the

flag and hold appropriate meetings at homes, churches, or other suitable places, on Gold Star Mother’s Day as a public expression of the love, sorrow, and reverence of the people for Gold Star Mothers.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1256.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
111(a)	36:148 (words before comma).	June 23, 1936, ch. 736, 49 Stat. 1895.
111(b)	36:147. 36:148 (words after comma).	

In subsection (b), the text of 36:148 (words after comma) is omitted as unnecessary. The words “Gold Star Mother’s Day” are substituted for “the last Sunday in September” in 36:147 for clarity. The word “American” is omitted as unnecessary.

§ 112. Honor America Days

(a) DESIGNATION.—The 21 days from Flag Day through Independence Day is a period to honor America.

(b) CONGRESSIONAL DECLARATION.—Congress declares that there be public gatherings and activities during that period at which the people of the United States can celebrate and honor their country in an appropriate way.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1257.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
112(a)	36:157b (words before comma).	June 13, 1975, Pub. L. 94–33, 89 Stat. 211.
112(b)	36:157b (words after comma).	

§ 113. Law Day, U.S.A.

(a) DESIGNATION.—May 1 is Law Day, U.S.A.

(b) PURPOSE.—Law Day, U.S.A., is a special day of celebration by the people of the United States—

(1) in appreciation of their liberties and the reaffirmation of their loyalty to the United States and of their rededication to the ideals of equality and justice under law in their relations with each other and with other countries; and

(2) for the cultivation of the respect for law that is so vital to the democratic way of life.

(c) PROCLAMATION.—The President is requested to issue a proclamation—

(1) calling on all public officials to display the flag of the United States on all Government buildings on Law Day, U.S.A.; and

(2) inviting the people of the United States to observe Law Day, U.S.A., with appropriate ceremonies and in other appropriate ways, through public entities and private organizations and in schools and other suitable places.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1257.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
113(a)	36:164 (1st par. 1st sentence).	Apr. 7, 1961, Pub. L. 87–20, 75 Stat. 43.

HISTORICAL AND REVISION NOTES—Continued

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
113(b)	36:164 (1st par. last sentence).	
113(c)	36:164 (last par.).	

In subsection (b)(1), the word “countries” is substituted for “nations” for consistency in the revised title and with other titles of the United States Code.

In subsection (c)(2), the word “entities” is substituted for “bodies” for consistency in the revised title and with other titles of the Code.

§ 114. Leif Erikson Day

The President may issue each year a proclamation designating October 9 as Leif Erikson Day.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1257.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
114	36:169c.	Sept. 2, 1964, Pub. L. 88–566, 78 Stat. 849.

§ 115. Loyalty Day

(a) DESIGNATION.—May 1 is Loyalty Day.

(b) PURPOSE.—Loyalty Day is a special day for the reaffirmation of loyalty to the United States and for the recognition of the heritage of American freedom.

(c) PROCLAMATION.—The President is requested to issue a proclamation—

(1) calling on United States Government officials to display the flag of the United States on all Government buildings on Loyalty Day; and

(2) inviting the people of the United States to observe Loyalty Day with appropriate ceremonies in schools and other suitable places.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1257.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
115(a)	36:162 (1st–13th words).	July 18, 1958, Pub. L. 85–529, 72 Stat. 369.
115(b)	36:162 (14th word–semicolon).	
115(c)	36:162 (words after semicolon).	

§ 116. Memorial Day

(a) DESIGNATION.—The last Monday in May is Memorial Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation—

(1) calling on the people of the United States to observe Memorial Day by praying, according to their individual religious faith, for permanent peace;

(2) designating a period of time on Memorial Day during which the people may unite in prayer for a permanent peace;

(3) calling on the people of the United States to unite in prayer at that time; and

(4) calling on the media to join in observing Memorial Day and the period of prayer.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1257.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
116	36:169g.	May 11, 1950, ch. 182, 64 Stat. 158.

In subsection (a), the designation is added, and the words “last Monday in May” are substituted for “May 30” in the Act of May 11, 1950 (ch. 182, 64 Stat. 158), because of section 1(b) of the Act of June 28, 1968 (Public Law 90–363, 82 Stat. 250).

In subsection (b)(4), the word “media” is substituted for “newspapers, radio stations, and all other mediums of information” to eliminate unnecessary words.

§ 117. Mother’s Day

(a) DESIGNATION.—The second Sunday in May is Mother’s Day.

(b) PROCLAMATION.—The President is requested to issue a proclamation calling on United States Government officials to display the flag of the United States on all Government buildings, and on the people of the United States to display the flag at their homes or other suitable places, on Mother’s Day as a public expression of love and reverence for the mothers of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1258.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
117(a)	36:142 (words before comma).	May 8, 1914, Pub. R. 25, 38 Stat. 770.
117(b)	36:141. 36:142 (words after comma).	

In subsection (b), the text of 36:142 (words after comma) is omitted as unnecessary.

§ 118. National Aviation Day

The President may issue each year a proclamation—

(1) designating August 19 as National Aviation Day;

(2) calling on United States Government officials to display the flag of the United States on all Government buildings on National Aviation Day; and

(3) inviting the people of the United States to observe National Aviation Day with appropriate exercises to further stimulate interest in aviation in the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1258.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
118	36:151.	May 11, 1939, ch. 123, 53 Stat. 739.

§ 119. National Day of Prayer

The President shall issue each year a proclamation designating the first Thursday in May as a National Day of Prayer on which the people of the United States may turn to God in prayer and meditation at churches, in groups, and as individuals.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1258.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
119	36:169h.	Apr. 17, 1952, ch. 216, 66 Stat. 64; May 5, 1988, Pub. L. 100-307, 102 Stat. 456.

§ 120. National Defense Transportation Day

The President is requested to issue each year a proclamation—

(1) designating the third Friday in May as National Defense Transportation Day; and

(2) urging the people of the United States, including labor, management, users, and investors, in all communities served by the various forms of transportation to observe National Defense Transportation Day by appropriate ceremonies that will give complete recognition to the importance to each community and its people of the transportation system of the United States and the maintenance of the facilities of the system in the most modern state of adequacy to serve the needs of the United States in times of peace and in national defense.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1258.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
120	36:160.	May 16, 1957, Pub. L. 85-32, 71 Stat. 30.

In clause (2), the words “any of”, “by land, by sea, and by air”, and “and every” are omitted as unnecessary.

§ 121. National Disability Employment Awareness Month

(a) DESIGNATION.—October is National Disability Employment Awareness Month.

(b) CEREMONIES.—Appropriate ceremonies shall be held throughout the United States during National Disability Employment Awareness Month to enlist public support for, and interest in, the employment of workers with disabilities who are otherwise qualified. Governors, mayors, heads of other governmental entities, and interested organizations and individuals are invited to participate in the ceremonies.

(c) PROCLAMATION.—The President is requested to issue each year a suitable proclamation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1258.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
121(a)	36:155 (1st par. 1st sentence).	Aug. 11, 1945, ch. 363, 59 Stat. 530; Oct. 8, 1970, Pub. L. 91-442, 84 Stat. 914; Nov. 7, 1988, Pub. L. 100-630, title III, §301(a), 102 Stat. 3315.
121(b)	36:155 (1st par. last sentence). 36:155 (last par. words after 1st comma).	
121(c)	36:155 (last par. words before 1st comma).	

In subsection (b), the words “of States” and “of cities” are omitted as unnecessary. The words “govern-

mental entities” are substituted for “instrumentalities of government” for consistency in the revised title and with other titles of the United States Code. The words “as well as leaders of industry, educational and religious groups, labor, veterans, women, farm, scientific and professional, and all other” are omitted as unnecessary.

§ 122. National Flag Week

The President is requested to issue each year a proclamation—

(1) designating the week in which June 14 falls as National Flag Week; and

(2) calling on citizens to display the flag of the United States during National Flag Week.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1259.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
122	36:157a.	June 9, 1966, Pub. L. 89-443, 80 Stat. 194.

§ 123. National Forest Products Week

(a) DESIGNATION.—The week beginning on the third Sunday in October is National Forest Products Week.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe National Forest Products Week with appropriate ceremonies and activities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1259.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
123(a)	36:163 (words before comma).	Sept. 13, 1960, Pub. L. 86-753, 74 Stat. 898.
123(b)	36:163 (words after comma).	

§ 124. National Freedom Day

The President may issue each year a proclamation designating February 1 as National Freedom Day to commemorate the signing by Abraham Lincoln on February 1, 1865, of the joint resolution adopted by the Senate and the House of Representatives that proposed the 13th amendment to the Constitution.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1259.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
124	36:156.	June 30, 1948, ch. 755, 62 Stat. 1150.

§ 125. National Grandparents Day

The President is requested to issue each year a proclamation—

(1) designating the first Sunday in September after Labor Day as National Grandparents Day; and

(2) calling on the people of the United States and interested groups and organizations to observe National Grandparents Day with appropriate ceremonies and activities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1259.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
125	36:142b.	Sept. 6, 1979, Pub. L. 96-62, 93 Stat. 410.

§ 126. National Hispanic Heritage Month

The President is requested to issue each year a proclamation—

(1) designating September 15 through October 15 as National Hispanic Heritage Month; and

(2) calling on the people of the United States, especially the educational community, to observe National Hispanic Heritage Month with appropriate ceremonies and activities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1259.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
126	36:169f.	Sept. 17, 1968, Pub. L. 90-498, 82 Stat. 848; Aug. 17, 1988, Pub. L. 100-402, §1, 102 Stat. 1012.

§ 127. National Korean War Veterans Armistice Day

(a) DESIGNATION.—July 27 of each year until 2003 is National Korean War Veterans Armistice Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on—

(1) the people of the United States to observe National Korean War Veterans Armistice Day with appropriate ceremonies and activities; and

(2) all departments, agencies, and instrumentalities of the United States Government, and interested organizations, groups, and individuals, to fly the flag of the United States at halfstaff on July 27 of each year until 2003 in honor of the individuals who died as a result of their service in Korea.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1259.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
127(a)	36:169m (words before “and the President”).	July 27, 1995, Pub. L. 104-19, title II, §2005, 109 Stat. 247.
127(b)	36:169m (words after “Armistice Day”).	

In subsection (b)(2), the words “departments, agencies, and instrumentalities” are substituted for “departments and agencies of the United States” for consistency in the revised title and with other titles of the United States Code.

§ 128. National Maritime Day

(a) DESIGNATION.—May 22 is National Maritime Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on—

(1) the people of the United States to observe National Maritime Day by displaying the flag

of the United States at their homes or other suitable places; and

(2) United States Government officials to display the flag on all Government buildings on National Maritime Day.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1260.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
128(a)	36:145 (words before comma).	May 20, 1933, ch. 36, 48 Stat. 73.
128(b)	36:145 (words after comma).	

§ 129. National Pearl Harbor Remembrance Day

(a) DESIGNATION.—December 7 is National Pearl Harbor Remembrance Day.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on—

(1) the people of the United States to observe National Pearl Harbor Remembrance Day with appropriate ceremonies and activities; and

(2) all departments, agencies, and instrumentalities of the United States Government, and interested organizations, groups, and individuals, to fly the flag of the United States at halfstaff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1260.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
129(a)	36:169l (words before “and the President”).	Aug. 23, 1994, Pub. L. 103-308, 108 Stat. 1669.
129(b)	36:169l (words after “Remembrance Day”).	

In subsection (b)(2), the words “departments, agencies, and instrumentalities of the United States Government” are substituted for “Federal agencies” for consistency in the revised title and with other titles of the United States Code.

§ 130. National Poison Prevention Week

The President is requested to issue each year a proclamation designating the third week in March as National Poison Prevention Week to aid in encouraging the people of the United States to learn of the dangers of accidental poisoning and to take preventive measures that are warranted by the seriousness of the danger.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1260.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
130	36:165.	Sept. 26, 1961, Pub. L. 87-319, 75 Stat. 681.

§ 131. National Safe Boating Week

The President is requested to issue each year a proclamation designating the 7-day period ending on the last Friday before Memorial Day as National Safe Boating Week.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1260.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
131	36:161.	June 4, 1958, Pub. L. 85-445, 72 Stat. 179; Oct. 3, 1980, Pub. L. 96-376, §9, 94 Stat. 1510; Dec. 20, 1993, Pub. L. 103-236, title III, §318(a), 107 Stat. 2427.

§ 132. National School Lunch Week

(a) DESIGNATION.—The week beginning on the second Sunday in October is National School Lunch Week.

(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe National School Lunch Week with appropriate ceremonies and activities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1260.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
132(a)	36:168 (words before comma).	Oct. 9, 1962, Pub. L. 87-780, 76 Stat. 779.
132(b)	36:168 (words after comma).	

§ 133. National Transportation Week

The President is requested to issue each year a proclamation—

(1) designating the week that includes the third Friday of May as National Transportation Week; and

(2) inviting the people of the United States to observe National Transportation Week with appropriate ceremonies and activities as a tribute to the men and women who, night and day, move goods and individuals throughout the United States.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1260.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
133	36:166.	May 14, 1962, Pub. L. 87-449, 76 Stat. 69.

§ 134. Pan American Aviation Day

The President may issue each year a proclamation—

(1) designating December 17 as Pan American Aviation Day; and

(2) calling on all officials of the United States Government, the chief executive offices of the States, territories, and possessions of the United States, and all citizens to participate in the observance of Pan American Aviation Day to further, and stimulate interest in, aviation in the American countries as an important stimulus to the further development of more rapid communications and a cultural development between the countries of the Western Hemisphere.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1261.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
134	36:151a.	Oct. 10, 1940, ch. 840, 54 Stat. 1093.

In clause (2), the words “chief executive officers of the States, territories, and possessions of the United States” are substituted for “Governors of the fifty States, our possessions”, and the word “countries” is substituted for “nations”, for consistency in the revised title and with other titles of the United States Code.

§ 135. Parents’ Day

(a) DESIGNATION.—The fourth Sunday in July is Parents’ Day.

(b) RECOGNITION.—All private citizens, organizations, and Federal, State, and local governmental and legislative entities are encouraged to recognize Parents’ Day through proclamations, activities, and educational efforts in furtherance of recognizing, uplifting, and supporting the role of parents in bringing up their children.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1261.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
135(a)	36:142c.	Oct. 14, 1994, Pub. L. 103-362, 108 Stat. 3465.
135(b)	36:142c-1.	

In subsection (b), the word “entities” is substituted for “bodies” for consistency in the revised title and with other titles of the United States Code.

§ 136. Peace Officers Memorial Day

The President is requested to issue each year a proclamation—

(1) designating May 15 as Peace Officers Memorial Day in honor of Federal, State, and local officers killed or disabled in the line of duty;

(2) directing United States Government officials to display the flag of the United States at halfstaff on all Government buildings on Peace Officers Memorial Day, as provided by section 7(m) of title 4, United States Code; and

(3) inviting State and local governments and the people of the United States to observe Peace Officers Memorial Day with appropriate ceremonies and activities, including the display of the flag at halfstaff.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1261.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
136	36:167(1), (2), (4) (related to Peace Officers Memorial Day).	Oct. 1, 1962, Pub. L. 87-726, cls. (1), (2), (4) (related to Peace Officers Memorial Day), 76 Stat. 676; Sept. 13, 1994, Pub. L. 103-322, title XXXII, §320922(a)(2)-(4), 108 Stat. 2131.

In clause (2), the reference to section 7(m) of title 4 is substituted for the reference to section 175(m) of title 36 because the latter provision is being restated in title 4. See section 2 of the bill.

§ 137. Police Week

The President is requested to issue each year a proclamation—

(1) designating the week in which May 15 occurs as Police Week in recognition of the service given by men and women who stand guard to protect the people of the United States through law enforcement; and

(2) inviting State and local governments and the people of the United States to observe Police Week with appropriate ceremonies and activities, including the display of the flag at halfstaff.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
137	36:167(3), (4) (related to Police Week).	Oct. 1, 1962, Pub. L. 87–726, cls. (3), (4) (related to Police Week), 76 Stat. 676; Sept. 13, 1994, Pub. L. 103–322, title XXXII, § 320922(a)(1), (3), (4), 108 Stat. 2131.

In clause (1), the words “night and day” and “in our midst” are omitted as unnecessary.

§ 138. Save Your Vision Week

The President is requested to issue each year a proclamation—

(1) designating the first week in March as Save Your Vision Week;

(2) inviting the governors and mayors of State and local governments to issue proclamations designating the first week in March as Save Your Vision Week;

(3) inviting the communications media, health care professions, and other agencies and individuals concerned with programs for the improvement of vision to unite during Save Your Vision Week in public activities to convince the people of the United States of the importance of vision to their welfare and the welfare of the United States; and

(4) urging the media, health care professions, and other agencies and individuals to support programs to improve and protect the vision of the people of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1261.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
138	36:169a.	Dec. 30, 1963, Pub. L. 88–242, 77 Stat. 629.

In clause (3), the words “consider including in such proclamation” and “press, radio, television, and other” are omitted as unnecessary.

§ 139. Steelmark Month

(a) DESIGNATION.—May is Steelmark Month.

(b) PURPOSE.—Steelmark Month recognizes the tremendous contribution made by the steel industry in the United States to national security and defense.

(c) PROCLAMATION.—The President is requested to issue a proclamation calling on the people of the United States to observe Steelmark Month with appropriate ceremonies and activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1262.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
139(a)	36:169e (1st sentence 1st–13th words).	Nov. 2, 1966, Pub. L. 89–703, 80 Stat. 1099.
139(b)	36:169e (1st sentence 14th–last words).	
139(c)	36:169e (last sentence).	

In subsection (c), the word “activities” is substituted for “proceedings” for consistency in this chapter.

§ 140. Stephen Foster Memorial Day

The President may issue each year a proclamation—

(1) designating January 13 as Stephen Foster Memorial Day; and

(2) calling on the people of the United States to observe Stephen Foster Memorial Day with appropriate ceremonies, pilgrimages to his shrines, and musical programs featuring his compositions.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1262.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140	36:158.	Oct. 27, 1951, ch. 593, 65 Stat. 659.

§ 141. Thomas Jefferson’s birthday

The President shall issue each year a proclamation—

(1) calling on officials of the United States Government to display the flag of the United States on all Government buildings on April 13; and

(2) inviting the people of the United States to observe April 13 in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of Thomas Jefferson’s birthday.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1262.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
141	36:149.	Aug. 16, 1937, ch. 666, 50 Stat. 668.

§ 142. White Cane Safety Day

The President may issue each year a proclamation—

(1) designating October 15 as White Cane Safety Day; and

(2) calling on the people of the United States to observe White Cane Safety Day with appropriate ceremonies and activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1262.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
142	36:169d.	Oct. 6, 1964, Pub. L. 88–628, 78 Stat. 1003.

§ 143. Wright Brothers Day

(a) DESIGNATION.—December 17 is Wright Brothers Day.

(b) PURPOSE.—Wright Brothers Day commemorates the first successful flights in a heavier than air, mechanically propelled airplane, that were made by Orville and Wilbur Wright on December 17, 1903, near Kitty Hawk, North Carolina.

(c) PROCLAMATION.—The President is requested to issue each year a proclamation inviting the people of the United States to observe Wright Brothers Day with appropriate ceremonies and activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1262.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
143(a)	36:169 (1st sentence words before 1st comma).	Dec. 17, 1963, Pub. L. 88–209, 77 Stat. 402.
143(b)	36:169 (1st sentence words after 1st comma).	
143(c)	36:169 (last sentence).	

CENTENNIAL OF FLIGHT COMMEMORATION ACT

Pub. L. 105–389, Nov. 13, 1998, 112 Stat. 3486, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Centennial of Flight Commemoration Act’.

“SEC. 2. FINDINGS.

“Congress finds that—

“(1) December 17, 2003, is the 100th anniversary of the first successful manned, free, controlled, and sustained flight by a power-driven, heavier-than-air machine;

“(2) the first flight by Orville and Wilbur Wright represents the fulfillment of the age-old dream of flying;

“(3) the airplane has dramatically changed the course of transportation, commerce, communication, and warfare throughout the world;

“(4) the achievement by the Wright brothers stands as a triumph of American ingenuity, inventiveness, and diligence in developing new technologies, and remains an inspiration for all Americans;

“(5) it is appropriate to remember and renew the legacy of the Wright brothers at a time when the values of creativity and daring represented by the Wright brothers are critical to the future of the Nation; and

“(6) as the Nation approaches the 100th anniversary of powered flight, it is appropriate to celebrate and commemorate the centennial year through local, national, and international observances and activities.

“SEC. 3. ESTABLISHMENT.

“There is established a commission to be known as the Centennial of Flight Commission.

“SEC. 4. MEMBERSHIP.

“(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 6 members, as follows:

“(1) The Director of the National Air and Space Museum of the Smithsonian Institution or his designee.

“(2) The Administrator of the National Aeronautics and Space Administration or his designee.

“(3) The chairman of the First Flight Centennial Foundation of North Carolina, or his designee.

“(4) The chairman of the 2003 Committee of Ohio, or his designee.

“(5) As chosen by the Commission, the president or head of a United States aeronautical society, foundation, or organization of national stature or prominence who will be a person from a State other than Ohio or North Carolina.

“(6) The Administrator of the Federal Aviation Administration, or his designee.

“(b) VACANCIES.—Any vacancy in the Commission shall be filled in the same manner in which the original designation was made.

“(c) COMPENSATION.—

“(1) Prohibition of pay.—Except as provided in paragraph (2), members of the Commission shall serve without pay or compensation.

“(2) Travel expenses.—The Commission may adopt a policy, only by unanimous vote, for members of the Commission and related advisory panels to receive travel expenses, including per diem in lieu of subsistence. The policy may not exceed the levels established under sections 5702 and 5703 of title 5, United States Code. Members who are Federal employees shall not receive travel expenses if otherwise reimbursed by the Federal Government.

“(d) QUORUM.—Three members of the Commission shall constitute a quorum.

“(e) CHAIRPERSON.—The Commission shall select a Chairperson of the Commission from the members designated under subsection (a)(1), (2), or (5). The Chairperson may not vote on matters before the Commission except in the case of a tie vote. The Chairperson may be removed by a vote of a majority of the Commission’s members.

“(f) ORGANIZATION.—No later than 90 days after the date of enactment of this Act [Nov. 13, 1998], the Commission shall meet and select a Chairperson, Vice Chairperson, and Executive Director.

“SEC. 5. DUTIES.

“(a) IN GENERAL.—The Commission shall—

“(1) represent the United States and take a leadership role with other nations in recognizing the importance of aviation history in general and the centennial of powered flight in particular, and promote participation by the United States in such activities;

“(2) encourage and promote national and international participation and sponsorships in commemoration of the centennial of powered flight by persons and entities such as—

“(A) aerospace manufacturing companies;

“(B) aerospace-related military organizations;

“(C) workers employed in aerospace-related industries;

“(D) commercial aviation companies;

“(E) general aviation owners and pilots;

“(F) aerospace researchers, instructors, and enthusiasts;

“(G) elementary, secondary, and higher educational institutions;

“(H) civil, patriotic, educational, sporting, arts, cultural, and historical organizations and technical societies;

“(I) aerospace-related museums; and

“(J) State and local governments;

“(3) plan and develop, in coordination with the First Flight Centennial Commission, the First Flight Centennial Foundation of North Carolina, and the 2003 Committee of Ohio, programs and activities that are appropriate to commemorate the 100th anniversary of powered flight;

“(4) maintain, publish, and distribute a calendar or register of national and international programs and projects concerning, and provide a central clearinghouse for, information and coordination regarding, dates, events, and places of historical and commemorative significance regarding aviation history in general and the centennial of powered flight in particular;

“(5) provide national coordination for celebration dates to take place throughout the United States during the centennial year;

“(6) assist in conducting educational, civic, and commemorative activities relating to the centennial of powered flight throughout the United States, especially activities that occur in the States of North Carolina and Ohio and that highlight the activities of the Wright brothers in such States; and

“(7) encourage the publication of popular and scholarly works related to the history of aviation or the anniversary of the centennial of powered flight.

“(b) NONDUPLICATION OF ACTIVITIES.—The Commission shall attempt to plan and conduct its activities in such a manner that activities conducted pursuant to this Act enhance, but do not duplicate, traditional and established activities of Ohio’s 2003 Committee, North Carolina’s First Flight Centennial Commission, the First Flight Centennial Foundation, or any other organization of national stature or prominence.

“SEC. 6. POWERS.

“(a) ADVISORY COMMITTEES AND TASK FORCES.—

“(1) In general.—The Commission may appoint any advisory committee or task force from among the membership of the Advisory Board in section 12.

“(2) Federal cooperation.—To ensure the overall success of the Commission’s efforts, the Commission may call upon various Federal departments and agencies to assist in and give support to the programs of the Commission. The head of the Federal department or agency, where appropriate, shall furnish the information or assistance requested by the Commission, unless prohibited by law.

“(3) Prohibition of pay other than travel expenses.—Members of an advisory committee or task force authorized under paragraph (1) shall not receive pay, but may receive travel expenses pursuant to the policy adopted by the Commission under section 4(c)(2).

“(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this Act.

“(c) AUTHORITY TO PROCURE AND TO MAKE LEGAL AGREEMENTS.—

“(1) In general.—Notwithstanding any other provision in this Act, only the Commission may procure supplies, services, and property, and make or enter into leases and other legal agreements in order to carry out this Act.

“(2) Restriction.—

“(A) IN GENERAL.—A contract, lease, or other legal agreement made or entered into by the Commission may not extend beyond the date of the termination of the Commission.

“(B) FEDERAL SUPPORT.—The Commission shall obtain property, equipment, and office space from the General Services Administration or the Smithsonian Institution, unless other office space, property, or equipment is less costly.

“(3) Supplies and property possessed by commission at termination.—Any supplies and property, except historically significant items, that are acquired by the Commission under this Act and remain in the possession of the Commission on the date of the termination of the Commission shall become the property of the General Services Administration upon the date of termination.

“(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as any other Federal agency.

“SEC. 7. STAFF AND SUPPORT SERVICES.

“(a) EXECUTIVE DIRECTOR.—There shall be an Executive Director appointed by the Commission and chosen from among detailees from the agencies and organizations represented on the Commission. The Executive Director may be paid at a rate not to exceed the maximum rate of basic pay payable for the Senior Executive Service.

“(b) STAFF.—The Commission may appoint and fix the pay of any additional personnel that it considers

appropriate, except that an individual appointed under this subsection may not receive pay in excess of the maximum rate of basic pay payable for GS-14 of the General Schedule.

“(c) INAPPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Executive Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except as provided under subsections (a) and (b) of this section.

“(d) MERIT SYSTEM PRINCIPLES.—The appointment of the Executive Director or any personnel of the Commission under subsection (a) or (b) shall be made consistent with the merit system principles under section 2301 of title 5, United States Code.

“(e) STAFF OF FEDERAL AGENCIES.—Upon request by the Chairperson of the Commission, the head of any Federal department or agency may detail, on either a nonreimbursable or reimbursable basis, any of the personnel of the department or agency to the Commission to assist the Commission to carry out its duties under this Act.

“(f) ADMINISTRATIVE SUPPORT SERVICES.—

“(1) Reimbursable services.—The Secretary of the Smithsonian Institution may provide to the Commission on a reimbursable basis any administrative support services that are necessary to enable the Commission to carry out this Act.

“(2) Nonreimbursable services.—The Secretary may provide administrative support services to the Commission on a nonreimbursable basis when, in the opinion of the Secretary, the value of such services is insignificant or not practical to determine.

“(g) COOPERATIVE AGREEMENTS.—The Commission may enter into cooperative agreements with other Federal agencies, State and local governments, and private interests and organizations that will contribute to public awareness of and interest in the centennial of powered flight and toward furthering the goals and purposes of this Act.

“(h) PROGRAM SUPPORT.—The Commission may receive program support from the nonprofit sector.

“SEC. 8. CONTRIBUTIONS.

“(a) DONATIONS.—The Commission may accept donations of personal services and historic materials relating to the implementation of its responsibilities under the provisions of this Act.

“(b) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

“(c) REMAINING FUNDS.—Any funds (including funds received from licensing royalties) remaining with the Commission on the date of the termination of the Commission may be used to ensure proper disposition, as specified in the final report required under section 10(b), of historically significant property which was donated to or acquired by the Commission. Any funds remaining after such disposition shall be transferred to the Secretary of the Treasury for deposit into the general fund of the Treasury of the United States.

“SEC. 9. EXCLUSIVE RIGHT TO NAME, LOGOS, EMBLEMS, SEALS, AND MARKS.

“(a) IN GENERAL.—The Commission may devise any logo, emblem, seal, or descriptive or designating mark that is required to carry out its duties or that it determines is appropriate for use in connection with the commemoration of the centennial of powered flight.

“(b) LICENSING.—The Commission shall have the sole and exclusive right to use, or to allow or refuse the use of, the name ‘Centennial of Flight Commission’ on any logo, emblem, seal, or descriptive or designating mark that the Commission lawfully adopts.

“(c) EFFECT ON OTHER RIGHTS.—No provision of this section may be construed to conflict or interfere with established or vested rights.

“(d) USE OF FUNDS.—Funds from licensing royalties received pursuant to this section shall be used by the Commission to carry out the duties of the Commission specified by this Act.

“(e) LICENSING RIGHTS.—All exclusive licensing rights, unless otherwise specified, shall revert to the Air and Space Museum of the Smithsonian Institution upon termination of the Commission.

“SEC. 10. REPORTS.

“(a) ANNUAL REPORT.—In each fiscal year in which the Commission is in existence, the Commission shall prepare and submit to Congress a report describing the activities of the Commission during the fiscal year. Each annual report shall also include—

“(1) recommendations regarding appropriate activities to commemorate the centennial of powered flight, including—

“(A) the production, publication, and distribution of books, pamphlets, films, and other educational materials;

“(B) bibliographical and documentary projects and publications;

“(C) conferences, convocations, lectures, seminars, and other similar programs;

“(D) the development of exhibits for libraries, museums, and other appropriate institutions;

“(E) ceremonies and celebrations commemorating specific events that relate to the history of aviation;

“(F) programs focusing on the history of aviation and its benefits to the United States and humankind; and

“(G) competitions, commissions, and awards regarding historical, scholarly, artistic, literary, musical, and other works, programs, and projects related to the centennial of powered flight;

“(2) recommendations to appropriate agencies or advisory bodies regarding the issuance of commemorative coins, medals, and stamps by the United States relating to aviation or the centennial of powered flight;

“(3) recommendations for any legislation or administrative action that the Commission determines to be appropriate regarding the commemoration of the centennial of powered flight;

“(4) an accounting of funds received and expended by the Commission in the fiscal year that the report concerns, including a detailed description of the source and amount of any funds donated to the Commission in the fiscal year; and

“(5) an accounting of any cooperative agreements and contract agreements entered into by the Commission.

“(b) FINAL REPORT.—Not later than June 30, 2004, the Commission shall submit to the President and Congress a final report. The final report shall contain—

“(1) a summary of the activities of the Commission;

“(2) a final accounting of funds received and expended by the Commission;

“(3) any findings and conclusions of the Commission; and

“(4) specific recommendations concerning the final disposition of any historically significant items acquired by the Commission, including items donated to the Commission under section 8(a)(1).

“SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.

“(a) IN GENERAL.—

“(1) Audit.—The Comptroller General of the United States shall audit on an annual basis the financial transactions of the Commission, including financial transactions involving donated funds, in accordance with generally accepted auditing standards.

“(2) Access.—In conducting an audit under this section, the Comptroller General—

“(A) shall have access to all books, accounts, financial records, reports, files, and other papers, items, or property in use by the Commission, as necessary to facilitate the audit; and

“(B) shall be afforded full facilities for verifying the financial transactions of the Commission, including access to any financial records or securities held for the Commission by depositories, fiscal agents, or custodians.

“(b) FINAL REPORT.—Not later than September 30, 2004, the Comptroller General of the United States shall submit to the President and to Congress a report detailing the results of any audit of the financial transactions of the Commission conducted by the Comptroller General.

“SEC. 12. ADVISORY BOARD.

“(a) ESTABLISHMENT.—There is established a First Flight Centennial Federal Advisory Board.

“(b) NUMBER AND APPOINTMENT.—

“(1) In general.—The Board shall be composed of 19 members as follows:

“(A) The Secretary of the Interior, or the designee of the Secretary.

“(B) The Librarian of Congress, or the designee of the Librarian.

“(C) The Secretary of the Air Force, or the designee of the Secretary.

“(D) The Secretary of the Navy, or the designee of the Secretary.

“(E) The Secretary of Transportation, or the designee of the Secretary.

“(F) Six citizens of the United States, appointed by the President, who—

“(i) are not officers or employees of any government (except membership on the Board shall not be construed to apply to the limitation under this clause); and

“(ii) shall be selected based on their experience in the fields of aerospace history, science, or education, or their ability to represent the entities enumerated under section 5(a)(2).

“(G) Four citizens of the United States, appointed by the majority leader of the Senate in consultation with the minority leader of the Senate.

“(H) Four citizens of the United States, appointed by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives. Of the individuals appointed under this subparagraph—

“(i) one shall be selected from among individuals recommended by the representative whose district encompasses the Wright Brothers National Memorial; and

“(ii) one shall be selected from among individuals recommended by the representatives whose districts encompass any part of the Dayton Aviation Heritage National Historical Park.

“(c) VACANCIES.—Any vacancy in the Advisory Board shall be filled in the same manner in which the original designation was made.

“(d) MEETINGS.—Seven members of the Advisory Board shall constitute a quorum for a meeting. All meetings shall be open to the public.

“(e) CHAIRPERSON.—The President shall designate 1 member appointed under subsection (b)(1)(F) as chairperson of the Advisory Board.

“(f) MAILS.—The Advisory Board may use the United States mails in the same manner and under the same conditions as a Federal agency.

“(g) DUTIES.—The Advisory Board shall advise the Commission on matters related to this Act.

“(h) PROHIBITION OF COMPENSATION OTHER THAN TRAVEL EXPENSES.—Members of the Advisory Board shall not receive pay, but may receive travel expenses pursuant to the policy adopted by the Commission under section 4(e) [4(c)(2)].

“(i) Termination.—The Advisory Board shall terminate upon the termination of the Commission.

“SEC. 13. DEFINITIONS.

“For purposes of this Act:

“(1) The term ‘Advisory Board’ means the Centennial of Flight Federal Advisory Board.

“(2) The term ‘centennial of powered flight’ means the anniversary year, from December 2002 to December 2003, commemorating the 100-year history of aviation beginning with the First Flight and highlighting the achievements of the Wright brothers in developing the technologies which have led to the development of aviation as it is known today.

“(3) The term ‘Commission’ means the Centennial of Flight Commission.

“(4) The term ‘designee’ means a person from the respective entity of each entity represented on the Commission or Advisory Board.

“(5) The term ‘First Flight’ means the first four successful manned, free, controlled, and sustained flights by a power-driven, heavier-than-air machine, which were accomplished by Orville and Wilbur Wright of Dayton, Ohio on December 17, 1903 at Kitty Hawk, North Carolina.

“SEC. 14. TERMINATION.

“The Commission shall terminate not later than 60 days after the submission of the final report required by section 10(b) and shall transfer all documents and material to the National Archives or other appropriate Federal entity.

“SEC. 15. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated to carry out this Act \$250,000 for fiscal year 1999, \$600,000 for fiscal year 2000, \$750,000 for fiscal year 2001, \$900,000 for fiscal year 2002, \$900,000 for fiscal year 2003, and \$600,000 for fiscal year 2004.”

**CHAPTER 3—NATIONAL ANTHEM, MOTTO,
FLORAL EMBLEM, AND MARCH**

Sec.	
301.	National anthem.
302.	National motto.
303.	National floral emblem.
304.	National march.

§ 301. National anthem

(a) DESIGNATION.—The composition consisting of the words and music known as the Star-Spangled Banner is the national anthem.

(b) CONDUCT DURING PLAYING.—During a rendition of the national anthem—

(1) when the flag is displayed—

(A) all present except those in uniform should stand at attention facing the flag with the right hand over the heart;

(B) men not in uniform should remove their headdress with their right hand and hold the headdress at the left shoulder, the hand being over the heart; and

(C) individuals in uniform should give the military salute at the first note of the anthem and maintain that position until the last note; and

(2) when the flag is not displayed, all present should face toward the music and act in the same manner they would if the flag were displayed.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
301(a)	36:170.	Mar. 3, 1931, ch. 436, 46 Stat. 1508.
301(b)	36:171.	June 22, 1942, ch. 435, § 6, 56 Stat. 380; Dec. 22, 1942, ch. 806, § 6, 56 Stat. 1077; July 7, 1976, Pub. L. 94–344, § 1(18), 90 Stat. 812.

§ 302. National motto

“In God we trust” is the national motto.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
302	36:186.	July 30, 1956, ch. 795, 70 Stat. 732.

§ 303. National floral emblem

The flower commonly known as the rose is the national floral emblem.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
303	36:187.	Oct. 7, 1986, Pub. L. 99–449, 100 Stat. 1128.

The text of 36:187 (words after comma) is omitted as executed because the proclamation was made on November 20, 1986. See Proclamation No. 5574, 51 Fed. Reg. 42197.

PROC. NO. 5574. THE ROSE PROCLAIMED THE NATIONAL FLORAL EMBLEM OF THE UNITED STATES OF AMERICA

Proc. No. 5574, Nov. 20, 1986, 51 F.R. 42197, provided:

Americans have always loved the flowers with which God decorates our land. More often than any other flower, we hold the rose dear as the symbol of life and love and devotion, of beauty and eternity. For the love of man and woman, for the love of mankind and God, for the love of country, Americans who would speak the language of the heart do so with a rose.

We see proofs of this everywhere. The study of fossils reveals that the rose has existed in America for age upon age. We have always cultivated roses in our gardens. Our first President, George Washington, bred roses, and a variety he named after his mother is still grown today. The White House itself boasts a beautiful Rose Garden. We grow roses in all our fifty States. We find roses throughout our art, music, and literature. We decorate our celebrations and parades with roses. Most of all, we present roses to those we love, and we lavish them on our altars, our civil shrines, and the final resting places of our honored dead.

The American people have long held a special place in their hearts for roses. Let us continue to cherish them, to honor the love and devotion they represent, and to bestow them on all we love just as God has bestowed them on us.

The Congress, by Senate Joint Resolution 159 [Pub. L. 99–449, now this section], has designated the rose as the National Floral Emblem of the United States and authorized and requested the President to issue a proclamation declaring this fact.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the rose as the National Floral Emblem of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of November, in the year of our Lord nineteen hundred and eighty-six, and of the Independence of the United States of America the two hundred and eleventh.

RONALD REAGAN.

§ 304. National march

The composition by John Philip Sousa entitled “The Stars and Stripes Forever” is the national march.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
304	36:188.	Dec. 11, 1987, Pub. L. 100-186, 101 Stat. 1286.

CHAPTER 5—PRESIDENTIAL INAUGURAL CEREMONIES

Sec.	
501.	Definitions.
502.	Regulations, licenses, and registration tags.
503.	Use of reservations, grounds, and public spaces.
504.	Installation and removal of electrical facilities.
505.	Extension of wires along parade routes.
506.	Duration of regulations and licenses and publication of regulations.
507.	Application to other property.
508.	Enforcement.
509.	Penalty.
510.	Authorization of appropriations.

§ 501. Definitions

For purposes of this chapter—

(1) “Inaugural Committee” means the committee appointed by the President-elect to be in charge of the Presidential inaugural ceremony and functions and activities connected with the ceremony; and

(2) “inaugural period” means the period that includes the day on which the Presidential inaugural ceremony is held, the 5 calendar days immediately preceding that day, and the 4 calendar days immediately following that day.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1263.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
501	36:721(b). 36:730.	Aug. 6, 1956, ch. 974, §1(b), 70 Stat. 1049. Aug. 6, 1956, ch. 974, §10, as added Jan. 30, 1968, Pub. L. 90-251, §4, 82 Stat. 4.

In this chapter, the word “Mayor” is substituted for “Commissioners” in the Presidential Inaugural Ceremonies Act (ch. 974, 70 Stat. 1049) [subsequently changed to “Commissioner” in 36:ch. 30 because section 401 of Reorganization Plan No. 3 of 1967 (5 App. U.S.C.) transferred the functions of the Board of Commissioners of the District of Columbia to the Commissioner of the District of Columbia and because of 36:730] because of sections 421 and 711 of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93-198, 87 Stat. 789, 818), which abolished the office of Commissioner of the District of Columbia and replaced it with the office of Mayor of the District of Columbia.

In this section, the text of 36:721(b)(3)-(5) is omitted because the complete names of the Mayor of the District of Columbia and the Secretaries of Defense and of the Interior are used the first time the terms appear in a section.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 2543; title 40 section 490.

§ 502. Regulations, licenses, and registration tags

(a) REGULATIONS AND LICENSES.—For each inaugural period, the Council of the District of Columbia shall—

(1) prescribe reasonable regulations necessary to preserve public order and protect life, health, and property;

(2) prescribe special regulations related to the standing, movement, and operation of vehicles; and

(3) grant special licenses to peddlers and vendors to sell merchandise in places the Council considers proper, subject to conditions and fees for the licenses the Council considers proper.

(b) REGISTRATION TAGS.—The Mayor of the District of Columbia may issue, for any motor vehicle made available for the use of the Inaugural Committee, special registration tags, valid for not more than 90 days, designed to celebrate the inauguration of the President and Vice President.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1264.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
502(a)	36:722(a).	Aug. 6, 1956, ch. 974, §2, 70 Stat. 1049; Jan. 30, 1968, Pub. L. 90-251, §1, 82 Stat. 4.
502(b)	36:722(b). 36:730.	Aug. 6, 1956, ch. 974, §10, as added Jan. 30, 1968, Pub. L. 90-251, §4, 82 Stat. 4.

In this chapter, the words “Council of the District of Columbia” are substituted for “District of Columbia Council” because of sections 401 and 711 of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93-198, 87 Stat. 785, 818).

In subsection (a)(2), the words “of whatever character or kind during such period” are omitted as unnecessary.

In subsection (a)(3), the words “the privilege of”, “goods, wares, and”, and “in the District of Columbia” are omitted as unnecessary.

In subsection (b), the words “both duly registered . . . and unregistered”, “a period”, and “the occasion of” are omitted as unnecessary.

§ 503. Use of reservations, grounds, and public spaces

(a) PERMIT FOR USE.—With the approval of the officer having jurisdiction over any of the Federal reservations or grounds in the District of Columbia, the Secretary of the Interior may grant to the Inaugural Committee a permit to use the reservations or grounds during the inaugural period, including a reasonable time before and after the inaugural period. The Mayor of the District of Columbia may grant a similar permit to use public space under the Mayor’s jurisdiction. Each permit granted under this subsection is subject to conditions the grantor of the permit prescribes.

(b) REVIEWING STANDS AND COMMERCIAL STANDS AND STRUCTURES.—A reviewing stand or a stand or structure for the sale of merchandise, food, or drink may be built on public grounds in the District of Columbia only if approved by the Inaugural Committee and by the Secretary or the Mayor, as appropriate.

(c) RESTORATION AFTER INAUGURAL PERIOD.—After the inaugural period, the reservation, ground, or public space occupied by a stand or structure shall be restored promptly to its prior condition.

(d) INDEMNIFICATION.—The Inaugural Committee shall indemnify and save harmless the District of Columbia and the appropriate department, agency, or instrumentality of the United States Government against any loss or damage to, and against any liability arising from the use of, the reservation, ground, or public space, by the Inaugural Committee or a licensee of the Inaugural Committee.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1264.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
503(a)	36:724 (1st, 2d sentences). 36:730.	Aug. 6, 1956, ch. 974, §4, 70 Stat. 1049. Aug. 6, 1956, ch. 974, §10, as added Jan. 30, 1968, Pub. L. 90–251, §4, 82 Stat. 4.
503(b)	36:724 (3d sentence). 36:730.	
503(c)	36:724 (4th sentence).	
503(d)	36:724 (last sentence).	

In subsection (a), the words “restrictions, terms, and” are omitted as unnecessary. The word “prescribes” is substituted for “imposed” for consistency in the revised title and with other titles of the United States Code.

In subsection (b), the words “With respect to public space”, “goods, wares”, “sidewalk, street, park, reservation, or other”, and “depending on the location of such stand or structure” are omitted as unnecessary.

In subsection (d), the words “department, agency, or instrumentality” are substituted for “agency” for consistency in the revised title and with other titles of the United States Code. The words “or agencies” are omitted because of 1:1.

§ 504. Installation and removal of electrical facilities

(a) INSTALLATION.—The Mayor of the District of Columbia may allow the Inaugural Committee to install suitable overhead conductors and electrical facilities, with adequate supports. The official in charge of a park or reservation in the District of Columbia in which it is necessary to place wires shall supervise the placing and removal of those wires.

(b) REMOVAL.—The conductors and supports shall be removed not later than 5 days after the end of the inaugural period.

(c) INDEMNIFICATION.—The United States Government and the District of Columbia may not incur any expense or damage from the installation, operation, or removal of a temporary overhead conductor or electrical facility. The Inaugural Committee shall indemnify and hold harmless the District of Columbia and the appropriate department, agency, or instrumentality of the Government against any loss or damage, and against any liability arising, from any act of the Inaugural Committee or any agent, licensee, servant, or employee of the Inaugural Committee in connection with the installation, operation, or removal of a temporary overhead conductor or electrical facility.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1264.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
504(a)	36:725 (1st, 2d sentences). 36:730.	Aug. 6, 1956, ch. 974, §5 (1st–3d, last sentences), 70 Stat. 1050. Aug. 6, 1956, ch. 974, §10, as added Jan. 30, 1968, Pub. L. 90–251, §4, 82 Stat. 4.
504(b)	36:725 (3d sentence).	
504(c)	36:725 (last sentence).	

In subsection (a), the words “lighting or other” and “for illumination or other purposes” are omitted as unnecessary.

In subsection (c), the words “illumination or other” are omitted as unnecessary. The words “department, agency, or instrumentality” are substituted for “agency” for consistency in the revised title and with other titles of the United States Code. The words “or agencies” are omitted because of 1:1. The words “in connection with the installation, operation, or removal of a temporary overhead conductor or electrical facility” are added for clarity.

§ 505. Extension of wires along parade routes

The Mayor of the District of Columbia, the Secretary of the Interior, and the Inaugural Committee may allow communications companies to extend overhead wires to places along a parade route that are considered convenient for use in connection with the parade and other inaugural purposes. The wires shall be removed not later than 10 days after the inaugural period ends.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1265.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
505	36:727. 36:730.	Aug. 6, 1956, ch. 974, §7, 70 Stat. 1050. Aug. 6, 1956, ch. 974, §10, as added Jan. 30, 1968, Pub. L. 90–251, §4, 82 Stat. 4.

The words “communications companies” are substituted for “telegraph, telephone, radio-broadcasting, and television companies” to eliminate unnecessary words.

§ 506. Duration of regulations and licenses and publication of regulations

Regulations prescribed and licenses authorized under this chapter are effective only during the inaugural period. The regulations shall be published in at least one daily newspaper published in the District of Columbia. A penalty prescribed for violating such a regulation may not be enforced until 5 days after publication.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1265.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
506	36:728 (1st, 2d sentences).	Aug. 6, 1956, ch. 974, §8 (1st, 2d sentences), 70 Stat. 1051.

The words “full force and” are omitted as unnecessary.

§ 507. Application to other property

This chapter does not apply to the United States Capitol Buildings or Grounds or other property under the jurisdiction of Congress or a committee, commission, or officer of Congress. A service or facility authorized by or under this chapter is available for the property on request or approval of the joint committee of the Senate and House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives to arrange for the inauguration of the President-elect and the Vice President-elect.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1265.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
507	36:729.	Aug. 6, 1956, ch. 974, § 9, 70 Stat. 1051.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 2543.

§ 508. Enforcement

The Mayor of the District of Columbia, or other official having jurisdiction in the premises, shall enforce this chapter, take necessary precautions to protect the public, and ensure that the pavement of any street, sidewalk, avenue, or alley disturbed or damaged is restored to its prior condition.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1265.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
508	36:725 (4th sentence). 36:730.	Aug. 6, 1956, ch. 974, § 5 (4th sentence), 70 Stat. 1050. Aug. 6, 1956, ch. 974, § 10, as added Jan. 30, 1968, Pub. L. 90-251, § 4, 82 Stat. 4.

§ 509. Penalty

A person violating a regulation prescribed under this chapter shall be fined under title 18 or imprisoned for not more than 30 days. A separate violation occurs under this section for each day the violation continues.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1265.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
509	36:728 (3d, last sentences).	Aug. 6, 1956, ch. 974, § 8 (3d, last sentences), 70 Stat. 1051; Jan. 30, 1968, Pub. L. 90-251, § 3, 82 Stat. 4.

The words “by the Council of the District of Columbia” and “the authority of” are omitted as unnecessary. The words “under title 18” are substituted for “not more than \$100” for consistency with title 18. The words “A separate violation occurs under this section for each day the violation continues” are substituted for 36:728 (last sentence) for consistency in the revised title and with other titles of the United States Code and to eliminate unnecessary words.

§ 510. Authorization of appropriations

(a) AUTHORIZATION.—Necessary amounts are authorized to be appropriated—

(1) to enable the Mayor of the District of Columbia to provide additional municipal services in the District of Columbia during the inaugural period, including—

(A) employment of personal services without regard to chapters 33 and 51 and subchapter III of chapter 53 of title 5;

(B) travel expenses of enforcement personnel, including sanitarians, from other jurisdictions;

(C) the hiring of the means of transportation;

(D) meals for policemen, firemen, and other municipal employees;

(E) the cost of removing and relocating streetcar loading platforms, construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths; and

(F) other incidental expenses in the discretion of the Mayor; and

(2) to enable the Secretary of the Interior to provide meals for the members of the United States Park Police during the inaugural period.

(b) PAYMENT.—Amounts appropriated under—

(1) subsection (a)(1) of this section are payable in the same way as other appropriations for the expenses of the District of Columbia; and

(2) subsection (a)(2) of this section are payable in the same way as other appropriations for the expenses of the Department of the Interior.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1265.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
510(a)	36:723 (less words between 1st and 2d commas and between next-to-last and last commas). 36:730.	Aug. 6, 1956, ch. 974, § 3, 70 Stat. 1049; Jan. 30, 1968, Pub. L. 90-251, § 2, 82 Stat. 4. Aug. 6, 1956, ch. 974, § 10, as added Jan. 30, 1968, Pub. L. 90-251, § 4, 82 Stat. 4.
510(b)	36:723 (words between 1st and 2d commas and between next-to-last and last commas).	

In subsection (a)(1)(A), the words “chapters 33 and 51 and subchapter III of chapter 53 of title 5” are substituted for “the civil-service and classification laws” for clarity and consistency in the revised title and with other titles of the United States Code.

CHAPTER 7—FEDERAL PARTICIPATION IN
CARL GARNER FEDERAL LANDS CLEANUP
DAY

- Sec.
- 701. Findings.
- 702. Definition.
- 703. Duties of Federal land management agency.
- 704. Activities.

§ 701. Findings

Congress finds that—

(1) Federal lands, parks, recreation areas, and waterways provide recreational opportunities for millions of Americans each year;

(2) Federal lands administered by Federal land management agencies contain valuable wildlife, scenery, natural and historic features, and other resources which may be damaged by litter and misuse;

(3) it is in the best interest of the United States and its citizens to maintain and preserve the beauty, safety, and availability of these Federal lands;

(4) these Federal land management agencies have been designated as the caretakers of these Federal lands and are responsible for maintaining and preserving those areas and facilities;

(5) there is great value in volunteer involvement in maintaining and preserving Federal lands for recreational use;

(6) the Federal land management agencies should be concerned with promoting a sense of pride and ownership among citizens toward these lands;

(7) the use of citizen volunteers in a national cleanup effort promotes these goals and encourages the thoughtful use of these Federal lands and facilities;

(8) the positive impact of annual cleanup events held at various recreation sites has already been proven by steadily declining levels of litter at these sites; and

(9) a national program for cleaning and maintaining Federal lands using volunteers will save millions of tax dollars.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1266.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
701	36:169i note.	Aug. 27, 1986, Pub. L. 99-402, § 2, 100 Stat. 910.

In clause (2), the words “the several” are omitted as unnecessary.

§ 702. Definition

For purposes of this chapter, “Federal land management agency” includes—

(1) the Forest Service of the Department of Agriculture;

(2) the Bureau of Land Management of the Department of the Interior;

(3) the National Park Service of the Department of the Interior;

(4) the Fish and Wildlife Service of the Department of the Interior;

(5) the Bureau of Reclamation of the Department of the Interior; and

(6) the Army Corps of Engineers.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1267.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
702	36:169i-1(a)(2).	Aug. 27, 1986, Pub. L. 99-402, § 4(a)(2), 100 Stat. 911.

§ 703. Duties of Federal land management agency

To observe Carl Garner Federal Lands Cleanup Day at the Federal level, each Federal land management agency shall organize, coordinate, and participate with citizen volunteers and State and local authorities in cleaning and providing for the maintenance of Federal public land, recreation areas, and waterways within the jurisdiction of the agency.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1267.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
703	36:169i-1(a)(1).	Aug. 27, 1986, Pub. L. 99-402, § 4(a)(1), 100 Stat. 911; Nov. 12, 1996, Pub. L. 104-333, § 806, 110 Stat. 4188.

The word “authorities” is substituted for “agencies” for consistency in the revised title and with other titles of the United States Code.

§ 704. Activities

In cooperation with appropriate State and local government authorities, each Federal land management agency shall plan for and carry out activities on Carl Garner Federal Lands Cleanup Day that—

(1) encourage continuing public and private sector cooperation in preserving the beauty and safety of areas within the jurisdiction of the agency;

(2) increase citizens’ sense of ownership and community pride in those areas;

(3) reduce litter on Federal lands, along trails and waterways, and within those areas; and

(4) maintain and improve trails, recreation areas, waterways, and facilities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1267.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
704	36:169i-1(b).	Aug. 27, 1986, Pub. L. 99-402, § 4(b), 100 Stat. 911; Nov. 12, 1996, Pub. L. 104-333, § 806, 110 Stat. 4188.

In this section, before clause (1), the word “county” is omitted as unnecessary. The word “authorities” is substituted for “agencies” for consistency in the revised title and with other titles of the United States Code.

CHAPTER 9—MISCELLANEOUS

Sec.

901. Service flag and service lapel button.

902. National League of Families POW/MIA flag.

§ 901. Service flag and service lapel button

(a) INDIVIDUALS ENTITLED TO DISPLAY SERVICE FLAG.—A service flag approved by the Secretary of Defense may be displayed in a window of the place of residence of individuals who are members of the immediate family of an individual serving in the Armed Forces of the United States during any period of war or hostilities in which the Armed Forces of the United States are engaged.

(b) INDIVIDUALS ENTITLED TO DISPLAY SERVICE LAPEL BUTTON.—A service lapel button approved by the Secretary may be worn by members of the immediate family of an individual serving in the Armed Forces of the United States during any period of war or hostilities in which the Armed Forces of the United States are engaged.

(c) LICENSE TO MANUFACTURE AND SELL SERVICE FLAGS AND SERVICE LAPEL BUTTONS.—Any person may apply to the Secretary for a license to manufacture and sell the approved service flag, or the approved service lapel button, or both. Any person that manufactures a service flag or service lapel button without having first obtained a license, or otherwise violates this section is liable to the United States Government for a civil penalty of not more than \$1,000.

(d) REGULATIONS.—The Secretary may prescribe regulations necessary to carry out this section.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1267.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
901(a)	36:179.	Oct. 17, 1942, ch. 615, 56 Stat. 796; May 27, 1953, ch. 70, 67 Stat. 35.
901(b)	36:180.	
901(c)	36:181.	
901(d)	36:182.	

In subsection (c), the text of 36:181 (1st sentence) is omitted as executed. The word “Thereafter” is omitted as obsolete. The words “is liable to the United States Government for a civil penalty of” are substituted for “shall, upon conviction thereof, be fined” for consistency in the revised title and with other titles of the United States Code.

§ 902. National League of Families POW/MIA flag

(a) DESIGNATION.—The National League of Families POW/MIA flag is designated as the symbol of our Nation’s concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation.

(b) REQUIRED DISPLAY.—The POW/MIA flag shall be displayed at the locations specified in subsection (d) of this section on POW/MIA flag display days. The display serves—

- (1) as the symbol of the Nation’s concern and commitment to achieving the fullest possible accounting of Americans who, having been prisoners of war or missing in action, still remain unaccounted for; and
- (2) as the symbol of the Nation’s commitment to achieving the fullest possible accounting for Americans who in the future may become prisoners of war, missing in action, or otherwise unaccounted for as a result of hostile action.

(c) DAYS FOR FLAG DISPLAY.—(1) For purposes of this section, POW/MIA flag display days are the following:

- (A) Armed Forces Day, the third Saturday in May.
- (B) Memorial Day, the last Monday in May.
- (C) Flag Day, June 14.
- (D) Independence Day, July 4.

- (E) National POW/MIA Recognition Day.
- (F) Veterans Day, November 11.

(2) In addition to the days specified in paragraph (1) of this subsection, POW/MIA flag display days include—

(A) in the case of display at medical centers of the Department of Veterans Affairs (required by subsection (d)(7) of this section), any day on which the flag of the United States is displayed; and

(B) in the case of display at United States Postal Service post offices (required by subsection (d)(8) of this section), the last business day before a day specified in paragraph (1) that in any year is not itself a business day.

(d) LOCATIONS FOR FLAG DISPLAY.—The locations for the display of the POW/MIA flag under subsection (b) of this section are the following:

- (1) The Capitol.
- (2) The White House.
- (3) The Korean War Veterans Memorial and the Vietnam Veterans Memorial.
- (4) Each national cemetery.
- (5) The buildings containing the official office of—
 - (A) the Secretary of State;
 - (B) the Secretary of Defense;
 - (C) the Secretary of Veterans Affairs; and
 - (D) the Director of the Selective Service System.

(6) Each major military installation, as designated by the Secretary of Defense.

(7) Each medical center of the Department of Veterans Affairs.

(8) Each United States Postal Service post office.

(e) COORDINATION WITH OTHER DISPLAY REQUIREMENT.—Display of the POW/MIA flag at the Capitol pursuant to subsection (d)(1) of this section is in addition to the display of that flag in the Rotunda of the Capitol pursuant to Senate Concurrent Resolution 5 of the 101st Congress, agreed to on February 22, 1989 (103 Stat. 2533).

(f) DISPLAY TO BE IN A MANNER VISIBLE TO THE PUBLIC.—Display of the POW/MIA flag pursuant to this section shall be in a manner designed to ensure visibility to the public.

(g) LIMITATION.—This section may not be construed or applied so as to require any employee to report to work solely for the purpose of providing for the display of the POW/MIA flag.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1268; Pub. L. 105-354, § 1(1), Nov. 3, 1998, 112 Stat. 3238.)

HISTORICAL AND REVISION NOTES
PUB. L. 105-225

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
902(a)	36:189.	Aug. 10, 1990, Pub. L. 101-355, § 2, 104 Stat. 416.
902(b)	36:189 note.	Dec. 5, 1991, Pub. L. 102-190, title X, § 1084(a)-(c), (e), 105 Stat. 1482, 1483.
902(c)	36:189 note.	Dec. 5, 1991, Pub. L. 102-190, title X, § 1084(d), 105 Stat. 1483.

In subsection (b), the text of section 1084(c) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102-190, 105 Stat. 1483) is omitted as executed.

PUB. L. 105-354

This amends section 902 of title 36 to reflect changes made by section 1082 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85, Nov. 18, 1997, 111 Stat. 1917, 36 App. U.S.C. 189a).

Section 1082(g) of that Act, which defined “POW/MIA flag” as used in section 1082 by reference to section 2 of Public Law 101-355, is unnecessary because the two provisions are restated together in section 902 of title 36.

Section 1082(h), which required that regulations be prescribed no later than 180 days after enactment of Public Law 105-85, is repealed as executed.

Section 1082(i), which required that the Administrator of GSA procure and distribute POW/MIA flags no later than 30 days after enactment of Public Law 105-85, is repealed as executed.

Section 1082(j), which repealed section 1084 of Public Law 102-190 (previously restated as subsections (b) and (c) of section 902 of title 36), is repealed as executed.

AMENDMENTS

1998—Subsecs. (b) to (g). Pub. L. 105-354 added subsections (b) to (g) and struck out former subsections (b) and (c) which read as follows:

“(b) DISPLAY.—The flag shall be displayed—

“(1) at each national cemetery and at the National Vietnam Veterans Memorial each year on Memorial Day and Veterans Day and on any day designated by law as National POW/MIA Recognition Day; and

“(2) on, or on the grounds of, the buildings containing the primary offices of the Secretaries of State, Defense, and Veterans Affairs, and the Director of the Selective Service System on any day designated by law as National POW/MIA Recognition Day.

“(c) TERMINATION OF FLAG DISPLAY REQUIREMENT.—Subsection (b) of this section ceases to apply when the President decides that the fullest possible accounting has been made of all members of the Armed Forces and civilian employees of the United States Government who have been identified as prisoners of war or missing in action in Southeast Asia.”

PART B—UNITED STATES GOVERNMENT ORGANIZATIONS INVOLVED WITH OBSERVANCES AND CEREMONIES

CHAPTER 21—AMERICAN BATTLE MONUMENTS COMMISSION

- Sec. 2101. Membership.
- 2102. Employment of personnel.
- 2103. Administrative.
- 2104. Military cemeteries in foreign countries.
- 2105. Monuments built by the United States Government.
- 2106. War memorials not built by the United States Government.
- 2107. National Memorial Cemetery of the Pacific.
- 2108. Pacific War Memorial and other historical and memorial sites on Corregidor.
- 2109. Foreign Currency Fluctuations Account.
- 2110. Claims against the Commission.
- 2111. Presidential duties and powers.
- 2112. Care and maintenance of Surrender Tree site.

§ 2101. Membership

(a) COMPOSITION AND TERMS.—The American Battle Monuments Commission has not more than 11 members appointed by the President. The President also shall appoint one officer of the Regular Army to serve as secretary of the Commission. The members and secretary serve at the pleasure of the President. The President shall fill any vacancies that occur. Notwithstanding any other law, members of the Armed

Forces may be appointed members of the Commission.

(b) PAY AND EXPENSES.—The members of the Commission serve without compensation. However, the members of the Commission may receive, from an amount appropriated to carry out this chapter or acquired by another authorized way—

(1) their actual expenses related to the work of the Commission;

(2) when in a travel status outside the continental United States, a per diem at the rate authorized to be paid for members of the uniformed services under section 405 of title 37, United States Code, instead of subsistence; and

(3) when in a travel status in the continental United States, a per diem at the rate authorized to be paid under sections 5702 and 5703 of title 5, United States Code, instead of subsistence.

(c) EXPENSES OF OFFICERS OF ARMED FORCES SERVING ON COMMISSION.—An officer of the Armed Forces serving as a member or as secretary of the Commission may be reimbursed for expenses when traveling on business of the Commission in the same way as civilian members of the Commission.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1269.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2101(a)	36:121 (1st par.).	Mar. 4, 1923, ch. 283, §1 (1st par.), 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; Dec. 18, 1989, Pub. L. 101-237, title V, §503, 103 Stat. 2094.
2101(b)	36:121 (2d par.).	Mar. 4, 1923, ch. 283, §1 (2d par.), 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §1, 70 Stat. 640; Oct. 21, 1970, Pub. L. 91-480, 84 Stat. 1081; Apr. 1, 1976, Pub. L. 94-256, 90 Stat. 301.
	36:121 (last par.).	Mar. 4, 1923, ch. 283, §1 (last par.), 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §1, 70 Stat. 640.
2101(c)	36:122.	Sept. 26, 1996, Pub. L. 104-204, title III, (2d proviso in par. under heading “American Battle Monuments Commission”), 110 Stat. 2907.

In subsection (a), the words “from time to time” are omitted as unnecessary.

In subsection (b), before clause (1), the text of 36:121 (last par.) is omitted as executed. In clauses (2) and (3), the word “same” is omitted as unnecessary. In clause (2), the words “authorized to be paid” are substituted for “prescribed” for consistency with clause (3) and 37:405.

Subsection (c) is based on 36:122 which is from the 2d proviso in the paragraph under the heading “American Battle Monuments Commission” in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Public Law 104-204, 110 Stat. 2907). The provision has been repeated each year in prior appropriations acts and therefore is restated as a permanent provision. For prior provisions, see citations under 36:122 (1994 ed.). In the restatement, the words “in the same way as” are substituted for “as provided for” for clarity and consistency in the revised title.

§ 2102. Employment of personnel

(a) **GENERAL.**—Within the limits of an appropriation made to employ personnel, the American Battle Monuments Commission may employ personnel necessary to carry out this chapter. To ensure adequate care and maintenance of cemeteries, monuments, and memorials, the Commission, subject to the availability of appropriations, shall employ—

(1) at least 50 individuals in the competitive service (as defined in section 2102 of title 5, United States Code), of whom at least 43 shall be assigned to duty in foreign countries where the cemeteries, monuments, and memorials are located; and

(2) at least 348 individuals who are citizens of the countries where the cemeteries, monuments, and memorials are located.

(b) **DETAILED PERSONNEL.**—On request of the Commission, the heads of departments, agencies, and instrumentalities of the United States Government may make available to the Commission their personnel and facilities to assist in carrying out this chapter, and may expend for that purpose amounts appropriated to the department, agency, and instrumentality. The Commission shall reimburse the department, agency, or instrumentality for the pay and allowances of personnel made available to the Commission.

(c) **STATION ALLOWANCE FOR OFFICERS ASSIGNED TO THE COMMISSION.**—For officers of the Armed Forces assigned to the Commission, the same station allowance shall be authorized for serving at foreign stations as the Secretary of the Army has authorized for officers of the Army.

(d) **CITIZENSHIP REQUIREMENT.**—An individual may be employed as the superintendent, or as an assistant superintendent, of a cemetery operated by the Commission only if the individual is a citizen of the United States.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1269; Pub. L. 105-354, § 1(2), Nov. 3, 1998, 112 Stat. 3239.)

HISTORICAL AND REVISION NOTES
PUB. L. 105-225

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2102(a)	36:121 (3d par. 2d, 3d sentences).	Mar. 4, 1923, ch. 283, § 1 (3d par.), 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, § 1, 70 Stat. 640; Oct. 18, 1978, Pub. L. 95-479, title III, § 306, 92 Stat. 1566; Oct. 7, 1980, Pub. L. 96-385, title V, § 506, 94 Stat. 1537.
2102(b)	36:121 (3d par. 1st sentence). 36:122a.	Sept. 26, 1996, Pub. L. 104-204, title III, (1st, last provisos in par. under heading "American Battle Monuments Commission"), 110 Stat. 2907.
2102(c)	36:121b.	
2102(d)	36:121 (3d par. last sentence).	

In subsection (a) before clause (1), the words "or appropriations" are omitted because of 1:1. The words "further" and "under the jurisdiction of the Commission" are omitted as unnecessary. In clause (2), the words "who shall be hired for local employment relating to the care and maintenance of such cemeteries,

monuments, and memorials" are omitted as unnecessary.

Subsections (b) and (c) are based in part on 36:121b and 122a, which are from the first and last provisos in the paragraph under the heading "American Battle Monuments Commission" in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Public Law 104-204, 110 Stat. 2907). The provisions have been repeated each year in prior appropriations acts and therefore are restated as permanent provisions. For prior provisions, see citations under 36:121b and 122a (1994 ed.).

In subsection (b), the words "departments, agencies, and instrumentalities" are substituted for "departments or agencies" and "departments, agencies, and services" in 36:121 and "agencies" in 36:122a for consistency in the revised title and with other titles of the United States Code. The words "or of the Army, Navy, Air Force, or Marine Corps" in 36:121 and "including the Armed Forces" in 36:122a are omitted as included in "department, agency, or instrumentality". The words "as the case may be" in 36:121 are omitted as unnecessary. The word "salary" in 36:122a is omitted as included in "pay".

In subsection (c), the words "Secretary of the Army" are substituted for "Department of the Army" because of 10:3013(a)(1).

PUB. L. 105-354

This amends section 2102(b) of title 36 to clarify the language.

AMENDMENTS

1998—Subsec. (b). Pub. L. 105-354 substituted "personnel made available to the Commission" for "designated personnel".

§ 2103. Administrative

(a) **GENERAL AUTHORITY.**—Subject to appropriations made to carry out this chapter, the American Battle Monuments Commission may—

(1) acquire land or an interest in land in a foreign country to carry out the purposes of this chapter, or an executive order conferring duties and powers on the Commission, without submission to the Attorney General under section 355 of the Revised Statutes (40 U.S.C. 255);

(2) maintain, repair, and operate motor-propelled passenger-carrying vehicles and other property that another department, agency, or instrumentality of the United States Government provides to the Commission;

(3) establish offices in the District of Columbia and elsewhere in or outside the United States;

(4) rent office and garage space, which may be paid for in advance, in foreign countries; and

(5) procure printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information on United States activities, battlefields, memorials, and cemeteries with respect to which the Commission may exercise any duties and powers.

(b) **DISPOSITION OF LAND.**—Under conditions and in the manner the Commission decides is proper, the Commission may dispose of land or an interest in land in a foreign country that the Commission acquires in connection with its work.

(c) **CONTRACTING OUT.**—Notwithstanding the requirements of existing laws or regulations, the

Commission, under conditions the Commission decides are necessary and proper, may contract for work, supplies, materials, and equipment outside or for use outside the United States and engage the services of architects and other technical and professional personnel.

(d) DELEGATION.—Under conditions the Commission may prescribe, the Commission may delegate to its chairman, secretary, or officials in charge of any of its offices any of its authority it considers necessary and proper.

(e) AUTHORITY TO RECEIVE STATE, LOCAL, OR PRIVATE AMOUNTS.—The Commission may receive State, local, or private amounts to carry out this chapter. The Commission shall deposit the amounts with the Treasurer of the United States. The Treasurer shall keep the amounts in separate accounts and shall disburse the amounts on vouchers approved by the chairman.

(f) LIMITATION ON USE OF CONTRIBUTIONS.—The Commission may not obligate, withdraw, or expend amounts received as contributions before March 1, 1998.

(g) STATEMENTS TO PRESIDENT.—The Commission shall transmit to the President on October 1 of each year a statement of all its financial and other transactions during the prior fiscal year.

(h) FINANCIAL STATEMENTS AND AUDITS.—(1) The Commission shall have a system of financial controls to enable the Commission to comply with the requirements of paragraph (2) of this subsection and with section 2106(d)(4) of this title.

(2) The Commission shall—

(A) by March 1 of each year (beginning with 1998)—

(i) prepare a financial statement which covers all accounts and associated activities of the Commission for the prior fiscal year and is consistent with the requirements of section 3515 of title 31, United States Code; and

(ii) submit the financial statement, together with a narrative summary, to the Committees on Veterans' Affairs of the Senate and House of Representatives; and

(B) obtain an audit by the Comptroller General of each financial statement prepared under subparagraph (A) of this paragraph, which shall be conducted in accordance with applicable generally accepted government auditing standards and shall be in lieu of any audit otherwise required by law.

(i) DISPOSITION OF RECORDS AND ARCHIVES.—When no longer required by the Commission, the records and archives of the Commission shall be deposited with the National Archives in accordance with section 2107 of title 44, United States Code.

(j) SEAL.—The Commission shall have a seal that shall be judicially noticed.

(k) DISBURSEMENTS OUTSIDE CONTINENTAL UNITED STATES.—Disbursements for expenditures outside the continental United States may be made by a special disbursing agent designated by the Commission under regulations it prescribes.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1270.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2103(a)	36:138b (1st par.).	Mar. 4, 1923, ch. 283, §12 (1st-3d, last pars.), 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §§2(c), (d), 4(c)(1), (2), 70 Stat. 640, 641.
2103(b)	36:137.	Feb. 11, 1927, ch. 104, §1 (5th proviso in par. under heading "American Battle Monuments Commission"), 44 Stat. 1071.
2103(c)	36:138b (3d par.).	
2103(d)	36:138b (2d par.).	
2103(e)	36:138b (last par.).	
2103(f)	36:128.	Mar. 4, 1923, ch. 283, §7, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317.
2103(g)	36:138d(c).	Mar. 4, 1923, ch. 283, §14, as added Oct. 9, 1996, Pub. L. 104-275, title VI, §602(b), 110 Stat. 3345.
2103(h)	36:131.	Mar. 4, 1923, ch. 283, §8, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §2(c), (d), 70 Stat. 640; Apr. 21, 1976, Pub. L. 94-273, §3(19), 90 Stat. 377.
2103(i)	36:138d(a), (b).	
2103(j)	36:138.	Mar. 4, 1923, ch. 283, §9, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §§2(c), (d), 4(a), 70 Stat. 640, 641.
2103(k)	36:136.	Feb. 11, 1927, ch. 104, §1 (3d proviso in par. under heading "American Battle Monuments Commission"), 44 Stat. 1071.
	36:133.	Feb. 11, 1927, ch. 104, §1 (last proviso in par. under heading "American Battle Monuments Commission"), 44 Stat. 1071.

In this section, the word "terms" is omitted as included in "conditions".

In subsection (a), before clause (1), the words "or appropriations" are omitted because of 1:1. In clauses (1) and (5), the words "duties and powers" are substituted for "functions" for consistency in the revised title and with other titles of the United States Code. In clause (2), the words "department, agency, or instrumentality" are substituted for "departments" for consistency in the revised title and with other titles of the Code.

In subsection (b), the text of 36:137 is omitted as superseded. The words "which has been or may after June 26, 1946, be" and "Provided, That this subsection shall not be effective until the expiration of the Surplus Property Act of 1944" are omitted as obsolete. Section 38 of the Surplus Property Act of 1944 (ch. 479, 58 Stat. 784) provided that the Act was to expire 3 years after the cessation of hostilities of World War II. The cessation of hostilities was proclaimed on December 31, 1946, by Proclamation No. 2714, 12 Fed. Reg. 1. However, section 602(a)(1) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 63 Stat. 399) [renumbered by section 6(a) and (b) of the Act of September 5, 1950 (ch. 849, 64 Stat. 583)] repealed the Surplus Property Act of 1944 effective July 1, 1949 (except for sections 13(d), (g), and (h), 28, and 32(b)(2)). Section 13(d), concerning power transmission lines, and section 13(g), concerning property for public airports, do not involve the American Battle Monuments Commission. Section 13(h) was repealed by section 2 of the Act of August 4, 1972 (Public Law 92-362, 86 Stat. 504). Section 28 was repealed by section 21 of the Act of June 25, 1948 (ch. 645, 62 Stat. 868). Section 32(b)(2) was repealed by section 111(a)(1) of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87-256, 75 Stat. 538).

In subsection (c), the words "in its discretion", "by contract or otherwise", and "firms of architects" are omitted as unnecessary.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2106 of this title.

§ 2104. Military cemeteries in foreign countries

When, as a result of combat operations, the Armed Forces establish military cemeteries in zones of operations outside the United States and the territories and possessions of the United States, the American Battle Monuments Commission and the Secretary of the Army, immediately on the cessation of hostilities, shall decide which of the cemeteries will become permanent cemeteries or, if they decide it is desirable, shall select new sites for the cemeteries at any other location. The Commission is solely responsible for the design and construction of the permanent cemeteries, and of all buildings, plantings, headstones, and other permanent improvements incidental to the cemeteries, except that—

(1) the Armed Forces are responsible for maintaining the permanent cemeteries until the Commission declares its readiness to assume the authorized administrative duties and powers;

(2) all construction undertaken by the Armed Forces in establishing and maintaining the cemetery prior to its transfer to the Commission shall be nonpermanent;

(3) burials and reburials by the Armed Forces shall be carried out in accordance with plans prepared by the Commission; and

(4) the Armed Forces have the right to re-enter a cemetery transferred to the Commission to exhume or re-inter a body if they decide it is necessary.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1271.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2104	36:122b.	Mar. 4, 1923, ch. 283, § 2, as added July 25, 1956, ch. 721, § 3(a), 70 Stat. 640.

In this section, before clause (1), the words “so established, if any” are omitted as unnecessary. In clause (1), the words “such time as” are omitted as unnecessary. The words “duties and powers” are substituted for “functions” for consistency in the revised title and with other titles of the United States Code. In clause (2), the words “in nature” are omitted as unnecessary.

§ 2105. Monuments built by the United States Government

(a) MEMORIALS.—The American Battle Monuments Commission shall prepare plans and estimates to build suitable memorials commemorating the service of American Armed Forces, and shall build and maintain memorials in the United States and, as the Commission decides, at any place outside the United States where the Armed Forces have served since April 6, 1917.

(b) ARCHITECTURE AND ART.—The Commission shall build and maintain works of architecture and art in United States cemeteries located outside the United States and the territories and possessions of the United States that are permanent cemeteries. The Secretary of Veterans Affairs shall maintain works of architecture and

art built by the Commission in the National Cemetery Administration, as described in section 2400(b) of title 38.

(c) CONTROL AND SUPERVISION OF MATERIALS, DESIGN, AND BUILDING.—(1) The Commission shall control the materials and design and prescribe regulations for, and supervise the building of, all memorial monuments and buildings in United States cemeteries located outside the United States and the territories and possessions of the United States.

(2) The Commission shall control the design and prescribe regulations for the building of all memorial monuments and buildings commemorating the service of American Armed Forces that are built in a foreign country or political division of the foreign country that authorizes the Commission to carry out those duties and powers.

(d) APPROVAL BY NATIONAL COMMISSION OF FINE ARTS.—A design for a memorial must be approved by the National Commission of Fine Arts before the Commission can accept it.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1271; Pub. L. 105-368, title IV, § 403(d)(1), Nov. 11, 1998, 112 Stat. 3339.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2105(a)	36:123 (1st par. 1st sentence).	Mar. 4, 1923, ch. 283, § 3, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §§ 2(b), (d), 3(b), 70 Stat. 640, 641.
2105(b)	36:123 (1st par. 2d, last sentences).	
2105(c)	36:123 (2d, last pars.).	
2105(d)	36:124.	Mar. 4, 1923, ch. 283, § 4, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §§ 2(b), (d), 3(c), 70 Stat. 640, 641.

In subsections (a) and (c)(2), the word “American” is omitted as unnecessary.

In subsection (a), the words “or shall hereafter serve” are omitted as obsolete.

In subsection (b), the words “Secretatry of Veterans Affairs” are substituted for “Department of Defense”, and the words “the National Cemetery System, as described in section 2400(b) of title 38” are substituted for “cemeteries within the United States, its Territories and possessions”, because of section 6 of the National Cemeteries Act of 1973 (Public Law 93-43, 38 U.S.C. 2404 note), which transferred jurisdiction over and responsibility for the national cemeteries (with certain exceptions) from the Secretary of the Army to the Administrator of Veterans' Affairs.

In subsection (c)(2), the words “duties and powers” are substituted for “functions” for consistency in the revised title and with other titles of the United States Code.

AMENDMENTS

1998—Subsec. (b). Pub. L. 105-368 substituted “National Cemetery Administration” for “National Cemetery System”.

§ 2106. War memorials not built by the United States Government

(a) COOPERATION WITH OTHERS.—The American Battle Monuments Commission may cooperate with citizens of the United States, States, municipalities, or associations desiring to build

war memorials outside the continental limits of the United States in the way the Commission decides. An administrative agency of the United States Government may give assistance to build the memorial only if a plan for the memorial has been approved under this chapter.

(b) CONTROL, ADMINISTRATION, AND MAINTENANCE OF WAR MEMORIALS.—(1) The Commission may assume responsibility for the control, administration, and maintenance of any war memorial built outside the United States by a citizen of the United States, a State, a political subdivision of a State, a governmental authority (except a department, agency, or instrumentality of the United States Government), a foreign agency, or a private association to commemorate the services of any of the Armed Forces in hostilities occurring since April 6, 1917, if—

(A) the memorial is not built on the territory of the applicable former enemy; and

(B) the sponsors of the memorial consent to the Commission assuming those responsibilities and transfer to the Commission all their rights and interests in the memorial.

(2) If reasonable effort fails to locate the sponsors of a memorial, the Commission may assume responsibility for the memorial under this subsection by agreement with the appropriate foreign authorities. A decision of the Commission to assume responsibility for a war memorial under this subsection is final.

(3) Sponsors of a war memorial for which the Commission assumes responsibility under this subsection may transfer amounts accumulated to maintain and repair the memorial to the Commission for use in carrying out this chapter. Except as provided in subsection (c) of this section, the Commission shall deposit transferred amounts as provided in section 2103(e) of this title.

(c) ARRANGEMENTS FOR REPAIR OR LONG-TERM MAINTENANCE OF MEMORIALS.—In assuming responsibility for a war memorial under subsection (b)(1) or (2) of this section, the Commission may arrange with the sponsors of the memorial to provide for repair or long-term maintenance of the memorial. An amount transferred to the Commission for the purpose of this subsection shall be deposited by the Commission in the fund established under subsection (d) of this section.

(d) FUND FOR ARRANGEMENTS FOR REPAIR OR LONG-TERM MAINTENANCE OF MEMORIALS.—(1) There is a fund in the Treasury that is available to the Commission for expenses of repair and long-term maintenance of memorials for which the Commission has made arrangements under subsection (c) of this section. The fund consists of—

(A) amounts deposited into, and interest and proceeds credited to, the fund under paragraph (2) of this subsection; and

(B) obligations obtained under paragraph (3) of this subsection.

(2) The Commission shall deposit into the fund the amounts that are accepted under subsection (c) of this section. The Secretary of the Treasury shall credit to the fund the interest on, and

the proceeds from the sale or redemption of, obligations held in the fund.

(3) The Secretary shall invest any part of the fund that the Commission decides is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States Government, or an obligation that has its principal and interest guaranteed by the Government, that the Commission decides has a maturity suitable for the fund.

(4) The Commission shall separately account for all amounts deposited in and expended from the fund for each war memorial for which an arrangement for repair or long-term maintenance is made under subsection (c) of this section.

(e) DEMOLITION OF WAR MEMORIAL BUILT IN A FOREIGN COUNTRY AND DISPOSITION OF SITE.—The Commission may take necessary action to demolish any war memorial built outside the United States by a citizen of the United States, a State, a political subdivision of a State, a governmental authority (except a department, agency, or instrumentality of the United States Government), a foreign agency, or a private association and to dispose of the site of the memorial in a way the Commission decides is proper, if—

(1) the appropriate foreign authorities agree to the demolition; and

(2)(A) the sponsor of the memorial consents to the demolition; or

(B) the memorial has fallen into disrepair and a reasonable effort by the Commission has failed—

(i) to persuade the sponsor to maintain the memorial at a standard acceptable to the Commission; or

(ii) to locate the sponsor.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1272.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2106(a)	36:125(a).	Mar. 4, 1923, ch. 283, §5(a), 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §2(b), (d), 70 Stat. 640; Jan. 2, 1974, Pub. L. 93-244, 87 Stat. 1070.
2106(b)(1)	36:125(b)(1) (1st sentence), (d).	Mar. 4, 1923, ch. 283, §5(b)-(d), as added Jan. 2, 1974, Pub. L. 93-244, 87 Stat. 1070; Oct. 9, 1996, Pub. L. 104-275, title VI, §602(a), 110 Stat. 3344.
2106(b)(2)	36:125(b)(1) (last sentence), (d).	
2106(b)(3)	36:125(b)(2)(A), (d).	
2106(c)	36:125(b)(2)(B), (d).	
2106(d)	36:125(b)(3).	
2106(e)	36:125(c), (d).	

In subsections (b), (c), and (e), the text of 36:125(d) is omitted as unnecessary.

In subsection (b)(1), before clause (A), the words “in its discretion” and “before, on, or after the effective date of this subsection” are omitted as unnecessary. The words “governmental authority (except a department, agency, or instrumentality of the United States Government)” are substituted for “non-Federal governmental agency” for consistency in the revised title and with other titles of the United States Code. In clause (B), the word “title” is omitted as included in “rights”.

MAINTENANCE AND REPAIR OF PACIFIC BATTLE
MONUMENTS

Pub. L. 103-160, div. A, title III, § 369, Nov. 30, 1993, 107 Stat. 1634, provided that:

“(a) AUTHORITY.—The Commandant of the Marine Corps may provide necessary minor maintenance and repairs to the Pacific battle monuments until such time as the Secretary of the American Battle Monuments Commission and the Commandant of the Marine Corps agree that the repair and maintenance will be performed by the American Battle Monuments Commission.

“(b) FUNDING.—Of the amounts authorized to be appropriated to the Marine Corps for operation and maintenance in a fiscal year, not more than \$15,000 may be made available to repair and maintain Pacific battle monuments, except that of the amounts available to the Marine Corps for operation and maintenance in fiscal year 1994, \$150,000 may be made available to repair and relocate a monument located on Iwo Jima commemorating the heroic efforts of United States military personnel during World War II.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2103 of this title.

§ 2107. National Memorial Cemetery of the Pacific

With the consent of the Secretary of Veterans Affairs, the American Battle Monuments Commission may build works of architecture and art in the National Memorial Cemetery of the Pacific.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1274.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2107	36:125a.	June 24, 1954, ch. 359, § 101 (1st proviso in last par. under heading “American Battle Monuments Commission”), 68 Stat. 275.

The words “Secretary of Veterans Affairs” are substituted for “Secretary of the Army” because of section 6 of the National Cemeteries Act of 1973 (Public Law 93-43, 38 U.S.C. 2404 note), which transferred jurisdiction over and responsibility for the national cemeteries (with certain exceptions) from the Secretary of the Army to the Administrator of Veterans’ Affairs. The words “as may be determined by the Commission” are omitted as unnecessary.

§ 2108. Pacific War Memorial and other historical and memorial sites on Corregidor

(a) GENERAL.—After an agreement is made between the Government of the Republic of the Philippines and the United States Government, the American Battle Monuments Commission shall restore, operate, and maintain the Pacific War Memorial and other historical and memorial sites on Corregidor.

(b) PERSONNEL.—The Commission may employ necessary personnel to carry out this section.

(c) USE OF OTHER DEPARTMENTS, AGENCIES, AND INSTRUMENTALITIES.—Departments, agencies, and instrumentalities of the United States Government may assist the Commission, on a reimbursable basis, in carrying out this section.

(d) AUTHORITY TO SOLICIT CONTRIBUTIONS.—To carry out this section, the Commission may solicit and accept private contributions and shall

deposit the contributions in the fund established by subsection (f) of this section.

(e) USE OF PRIVATE AMOUNTS.—The Commission shall carry out this section with private amounts except to the extent amounts are appropriated under subsection (g) of this section.

(f) FUND.—(1) There is a fund in the Treasury that is available to the Commission only to carry out this section. The fund consists of—

(A) amounts deposited into, and interest and proceeds credited to, the fund under paragraph (2) of this subsection; and

(B) obligations obtained under paragraph (3) of this subsection.

(2) The Chairman of the Commission shall deposit into the fund the amounts that are accepted under subsection (d) of this section. The Secretary of the Treasury shall credit to the fund the interest on, and the proceeds from the sale or redemption of, obligations held in the fund.

(3) The Secretary shall invest any part of the fund that the Chairman decides is not required to meet current expenses. Each investment shall be made in an interest-bearing obligation of the United States Government, or an obligation that has its principal and interest guaranteed by the Government, that the Chairman decides has a maturity suitable for the fund.

(4) Amounts in the fund exceeding the cost of carrying out this section, as decided by the Chairman, shall be deposited in the Treasury as miscellaneous receipts to reimburse the United States Government for amounts appropriated under subsection (g) of this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) \$6,000,000 for site preparation, design, planning, construction, and associated administrative costs for the restoration of the Memorial and other historical and memorial sites referred to in subsection (a) of this section; and

(2) amounts necessary to operate and maintain the Memorial and those other historical and memorial sites.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1274.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2108(a)	36:125b(a), (b).	Nov. 18, 1988, Pub. L. 100-687, title XVI, § 1602, 102 Stat. 4137.
2108(b)	36:125b(c).	
2108(c)	36:125b(d).	
2108(d)	36:125b(f).	
2108(e)	36:125b(e).	
2108(f)	36:125b(g).	
2108(g)	36:125b(h).	

§ 2109. Foreign Currency Fluctuations Account

(a) ESTABLISHMENT AND PURPOSE.—There is an account in the Treasury known as the “Foreign Currency Fluctuations, American Battle Monuments Commission, Account”. The Account shall be used to provide amounts, in addition to amounts appropriated for salaries and expenses of the Commission, to pay the cost of salaries and expenses that exceeds the amount appropriated for salaries and expenses because of fluctuations in currency exchange rates of foreign

countries occurring after a budget request for the Commission is submitted to Congress. The Account may not be used for any other purpose.

(b) INCREASE IN PERMISSIBLE OBLIGATIONS OF AMOUNTS.—A provision of law limiting the amounts the Commission may obligate in a fiscal year shall be increased to the extent necessary to reflect fluctuations in exchange rates from those used in preparing the budget submission.

(c) TRANSFERRED AMOUNTS.—(1) Amounts in the Account may be transferred to amounts appropriated for salaries and expenses of the Commission. Transferred amounts shall be merged with, and are available for the same time period as, the appropriation to which they are applied.

(2) AMOUNTS TRANSFERRED FROM THE ACCOUNT MAY BE TRANSFERRED BACK—

(A) if the amounts are not needed to pay obligations incurred because of fluctuations in currency exchange rates of foreign countries in the appropriation to which the amounts were originally transferred; or

(B) because of subsequent favorable fluctuations in the rates or because other amounts are, or become, available to pay the obligations.

(3) Amounts transferred to an appropriation under this subsection may not be transferred back to the Account after the end of the 2d fiscal year after the fiscal year in which the appropriation was available for obligation.

(d) RECORDING OF OBLIGATIONS AND FLUCTUATIONS IN EXCHANGE RATES.—An obligation of the Commission payable in the currency of a foreign country may be recorded as an obligation based on exchange rates used in preparing a budget submission. A change reflecting fluctuations in exchange rates may be recorded as a disbursement is made.

(e) UNOBLIGATED BALANCES.—The unobligated balance of an appropriation for salaries and expenses may be transferred to the Account not later than the end of the second fiscal year following the fiscal year for which the appropriation was made. The unobligated balance shall be merged with, and be available for the same period and purposes as, the Account.

(f) ANNUAL REPORT.—The Commission each year shall submit to the appropriate committees of Congress a report on amounts transferred under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$3,000,000 to the Account.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1275.)

HISTORICAL AND REVISION NOTES—Continued

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2109(e)	36:138c(f).	May 20, 1988, Pub. L. 100–322, title III, §345(b), 102 Stat. 540.
2109(f)	36:138c(g).	
2109(g)	36:138c note.	

§ 2110. Claims against the Commission

A claim against the American Battle Monuments Commission that is similar to a claim described in section 2734 of title 10, that is based on damage to, or loss or destruction of, property, or personal injury or death of an individual, and that is caused by the negligent or wrongful act or omission of an officer or civilian employee of the Commission acting within the scope of the officer's or employee's office or employment, may be settled, decided, and paid as provided in section 2734 for the settlement of Army claims. However, the Secretary of the Army may appoint an officer or employee of the Commission to a claims commission or as an officer to approve settlements of claims made by the claims commission. All payments in settlement of a claim shall be made out of appropriations made to carry out this chapter.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1276.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2110	36:138b (4th par.).	Mar. 4, 1923, ch. 283, §12 (4th par.), 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §§2(c), (d), 4(c)(3), 70 Stat. 640, 642.

The words “section 2734 of title 10” and “section 2734” are substituted for “the first section of the Act entitled ‘An Act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries’, approved January 2, 1942 (55 Stat. 880, as amended; 31 U.S.C. 224d)” and “such Act”, respectively, in section 12 (4th par.) of the Act of March 4, 1923 (ch. 283), as added by section 4(c)(3) of the Act of July 25, 1956 (ch. 721, 70 Stat. 642), because of section 49(b) of the Act of August 10, 1956 (ch. 1041, 70A Stat. 640). The 1942 law enacted former 31:224d, 224h, and 224i. Those sections subsequently were codified as 10:2734 and repealed by the Act of August 10, 1956 (ch. 1041, 70A Stat. 154, 672). The words “both real and personal” are omitted as unnecessary. The words “on or after July 25, 1956” are omitted as obsolete. The words “or commissions” are omitted because of 1:1. The words “settled, decided” are substituted for “considered, ascertained, adjusted, determined” to eliminate unnecessary words.

§ 2111. Presidential duties and powers

(a) ARRANGEMENTS WITH FOREIGN COUNTRIES.—The President is requested to make the necessary arrangements with the proper authorities of the appropriate foreign countries to enable the American Battle Monuments Commission to carry out this chapter.

(b) TRANSFER OF ADMINISTRATIVE DUTIES AND POWERS AND SUPPLIES, MATERIAL, AND EQUIPMENT TO COMMISSION.—(1) The President by executive order may transfer to the Commission—

(A) the same administrative duties and powers related to a permanent military cemetery

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2109(a)	36:138c(a) (1st–3d sentences).	Mar. 4, 1923, ch. 283, §13, as added May 20, 1988, Pub. L. 100–322, title III, §345(a), 102 Stat. 540.
2109(b)	36:138c(b) (last sentence).	
2109(c)(1)	36:138c(a) (last sentence), (b) (1st sentence).	
2109(c)(2)	36:138c(d).	
2109(c)(3)	36:138c(e).	
2109(d)	36:138c(c).	

located outside the United States and the territories and possessions of the United States that were transferred to the Commission by Executive Order 6614, February 26, 1934, and Executive Order 10057, May 14, 1949, as amended by Executive Order 10087, December 3, 1949; and

(B) supplies, material, and equipment located in the permanent military cemetery or in a military depot overseas that—

(i) the Department of Defense does not need; and

(ii) the Commission requests to carry out the duties and powers specified in clause (A) of this paragraph.

(2) After a transfer under this subsection, the Commission shall maintain the cemetery and all improvements in it.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1276.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2111(a)	36:127.	Mar. 4, 1923, ch. 283, § 6, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317.
2111(b)	36:132.	Mar. 4, 1923, ch. 283, § 10, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; July 25, 1956, ch. 721, §§ 2(c), (d), 4(b), 70 Stat. 640, 641.

In subsection (b)(1), the words “duties and powers” are substituted for “functions” for consistency in the revised title and with other titles of the United States Code.

REFERENCES IN TEXT

Executive Order 6614, referred to in subsec. (b)(1)(A), is not classified to the Code.

Executive Order 10057, referred to in subsec. (b)(1)(A), is set out below.

EX. ORD. NO. 9873. ADMINISTRATION OF THE MEXICO CITY NATIONAL CEMETERY

Ex. Ord. No. 9873, July 16, 1947, 12 F.R. 4777, provided:

By virtue of the authority vested in me by section 12 of the act of March 4, 1923, as amended by the act of June 26, 1946, 60 Stat. 318 [now subsec. (b) of this section], and as President of the United States, it is hereby ordered as follows:

1. All functions of administration pertaining to the Mexico City National Cemetery, located in Mexico City, Calazada, Molchor, Ocampo 31, Mexico, DF, now vested in or exercised by the War Department, together with the field civilian personnel, records, supplies, equipment, and property of every kind pertaining thereto, are hereby transferred from the War Department to the American Battle Monuments Commission.

2. The unexpended balances of appropriations or allotments of appropriations which are now, or may become, available to the War Department for the performance of the functions transferred by this order shall be transferred to the American Battle Monuments Commission to such extent as the Director of the Bureau of the Budget may deem necessary.

EX. ORD. NO. 10057. TRANSFER OF CERTAIN FUNCTIONS PERTAINING TO UNITED STATES MILITARY CEMETERIES

Ex. Ord. No. 10057, May 14, 1949, 14 F.R. 2585, as amended Ex. Ord. 10087, Dec. 3, 1949, 14 F.R. 7287, provided:

By virtue of the authority vested in me by section 12 of the act of March 4, 1923, 42 Stat. 1509, as amended by the act of June 26, 1946, 60 Stat. 318 [now subsec. (b) of

this section], and as President of the United States, it is hereby ordered as follows:

1. All functions of administration pertaining to World War II United States Military Cemeteries located in or near Cambridge, England; Margraten, the Netherlands; Hamm, Luxembourg; Henri-Chapelle, Belgium; Neuville-Condroz, Belgium; St. Laurent, France; St. James, France; Epinal, France; St. Avold, France; Draguignan, France; Nettuno (Anzio), Italy; Florence, Italy; Tunis (Carthage), Tunisia; and Ft. McKinley, Philippine Islands, now vested in or exercised by the Secretary of the Army pursuant to the act of May 16, 1946, c. 261, 60 Stat. 182, as amended by the act of August 5, 1947, c. 497, 61 Stat. 779, together with (a) such supplies, equipment, temporary structures, utilities and facilities pertaining thereto as are located therein or are in depots or other places overseas under the jurisdiction of the American Graves Registration Service and are determined by the American Battle Monuments Commission to be required for the discharge of its responsibilities under this order, and (b) the cemetery records currently maintained for the operation of such cemeteries, including records pertinent to the acquisition of real estate upon which the cemeteries and their appurtenances are situated, are hereby transferred to the American Battle Monuments Commission; such transfer to become effective as to any particular cemetery or group of cemeteries upon the completion of the operational mission of the Department of the Army with respect to such cemetery or group of cemeteries, but in no instance later than December 31, 1951, or at such earlier date as may be determined by the President or the Congress pursuant to the said act of May 16, 1946, as amended by the act of August 5, 1947.

2. The Department of the Army shall have the right to re-enter any of such cemeteries subsequent to the effective date of the transfer of functions with respect thereto for the purpose of making exhumations or reinterments should any such action become necessary.

3. There shall be transferred to the American Battle Monuments Commission so much of the unexpended balances of appropriations now, or which may become, available to the Department of the Army for the performance of the functions transferred by the provisions of this order as the Director of the Bureau of the Budget may deem necessary for use prior to July 1, 1950, in connection with such functions.

EX. ORD. NO. 12115. PERMANENT AMERICAN CEMETERY IN REPUBLIC OF PANAMA

Ex. Ord. No. 12115, Jan. 19, 1979, 44 F.R. 4645, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including Section 10 of the Act of March 4, 1923 (42 Stat. 1509), as amended (36 U.S.C. 132) [now subsec. (b) of this section], and to implement the intent of the United States Senate (124 Cong. Rec. S3857 of March 16, 1978) as set forth by Reservations (1) and (3) to the Resolution of Ratification of the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, it is hereby ordered as follows:

1-101. The Secretary of State shall take all appropriate steps to complete, prior to the date of entry into force of the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, hereinafter referred to as the Neutrality Treaty, the negotiations which have begun with the Republic of Panama for an agreement under which the United States of America would, upon the date of entry into force of such agreement and thereafter, administer as a permanent American cemetery such part of Corozal Cemetery as encompasses the remains of citizens of the United States of America.

1-102. Subject to the conclusion of the agreement referred to in Section 1-101 of this Order, the American Battle Monuments Commission shall administer that part of Corozal Cemetery which encompasses the remains of citizens of the United States of America, in

accordance with the terms of the agreement with the Republic of Panama.

1-103. The Governor of the Canal Zone shall, to the extent funds are available, disinter from Mount Hope Cemetery, before entry into force of the Neutrality Treaty, and reinter in Corozal Cemetery the remains of United States citizens, and the remains of members of their immediate family that are buried with them. The Governor shall not remove from Mount Hope Cemetery the remains of any such person whose next of kin timely requests in writing that such remains not be disinterred. The Governor shall transport to the United States for reinterment the remains of any such person whose next of kin timely requests in writing that such remains be transported to the United States for reinterment.

1-104. The Secretary of Defense shall, to the extent funds are available, disinter from Corozal Cemetery and transport to the United States for reinterment the remains of United States citizens, and the remains of members of their immediate family buried with them, whose next of kin requests in writing by April 1, 1982, that such remains be transported to the United States for reinterment.

1-105. Subject to the availability of funds, all the costs incurred in the disinterment, reinterment in Corozal Cemetery, and transportation of remains required by this Order, including the costs of preparation, cremation if requested, and a casket or urn, shall be borne by the United States of America. The costs of reinterment in the United States, including any costs for funeral home services, vaults, plots, or crypts, will be the responsibility of the next of kin making the request, except to the extent otherwise provided by law, including any unused specific entitlements available pursuant to statute.

1-106. (a) The Governor of the Canal Zone shall identify, to the extent feasible, the closest surviving next of kin of each deceased United States citizen buried in the Mount Hope and Corozal Cemeteries, and of such next of kin of each member of the immediate family that is buried with such United States citizen.

(b) The Governor shall provide notice to the next of kin of such deceased buried in Mount Hope Cemetery that the Government plans to remove the deceased to Corozal Cemetery unless the next of kin requests in writing, not later than three months after the first issuance of such notification, either that the remains not be removed from Mount Hope Cemetery, or that the remains be moved to, and reinterred in, the United States in a cemetery or other burial site designated by the next of kin.

(c) The Governor shall also provide notice to the next of kin of such deceased who are buried in Corozal Cemetery that the Government will disinter and transport such deceased to the United States for reinterment in a cemetery or other burial site designated by the next of kin, if the next of kin so requests in writing not later than April 1, 1982.

(d) The Governor shall publish the notices provided for in subsections (b) and (c) of this Section in appropriate newspapers, magazines and other periodicals, and utilize such other means of communicating with the next of kin that he finds to be practical and effective.

1-107. The Governor of the Canal Zone shall, before the entry into force of the Neutrality Treaty, fully advise the next of kin of all available options, and their implications, in those cases where a request has been made that remains not be removed from Mount Hope Cemetery.

1-108. The Secretary of the Army shall supervise the planned removal of the remains from Mount Hope Cemetery to Corozal Cemetery and shall ensure compliance with the wishes of any next of kin who, within the time specified in clause B(i) to the Third Reservation to the Neutrality Treaty, objects to such removal.

1-109. As used in this Order:

(a) "Next of kin" means the person whom the Governor of the Canal Zone determines to be the nearest

living relative, by consanguinity or affinity, of a person buried at Mount Hope Cemetery or Corozal Cemetery.

(b) "Members of their immediate family" means the spouse, children, mother or father of the deceased United States citizen.

JIMMY CARTER.

§ 2112. Care and maintenance of Surrender Tree site

The American Battle Monuments Commission is responsible for the care and maintenance of the Surrender Tree site in Santiago, Cuba.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1276.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2112	36:123 note.	Aug. 13, 1957, Pub. L. 85-125, 71 Stat. 344.

The last sentence of the Act of August 13, 1957 (Public Law 85-125, 71 Stat. 344), is omitted as obsolete.

CHAPTER 23—UNITED STATES HOLOCAUST MEMORIAL COUNCIL

- Sec. 2301. Establishment and purposes.
- 2302. Membership.
- 2303. Executive Director.
- 2304. Gifts, bequests, and devises of property.
- 2305. Memorial museum.
- 2306. Audits.
- 2307. Administrative.
- 2308. Annual report.
- 2309. Authorization of appropriations.

§ 2301. Establishment and purposes

The United States Holocaust Memorial Council is an independent establishment of the United States Government. The Council shall—

(1) provide for appropriate ways for the Nation to commemorate the Days of Remembrance as an annual, national, civic commemoration of the Holocaust;

(2) encourage and sponsor appropriate observances of the Days of Remembrance throughout the United States;

(3) plan, construct, and operate a permanent living memorial museum to the victims of the Holocaust in cooperation with the Secretary of the Interior and other departments, agencies, and instrumentalities of the United States Government as provided in section 2305 of this title; and

(4) develop a plan for carrying out the recommendations of the President's Commission on the Holocaust in its report to the President of September 27, 1979, to the extent the recommendations are not otherwise provided for in this chapter.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1277.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2301	36:1401.	Oct. 7, 1980, Pub. L. 96-388, § 1, 94 Stat. 1547; Dec. 19, 1985, Pub. L. 99-190, § 101(d) [title III, § 324(1)], 99 Stat. 1267; Oct. 27, 1992, Pub. L. 102-529, § 3(1), 106 Stat. 3463.

§ 2302. Membership

(a) COMPOSITION.—(1) The United States Holocaust Memorial Council consists of 65 voting members and the following ex officio nonvoting members:

(A) one appointed by the Secretary of the Interior.

(B) one appointed by the Secretary of State.

(C) one appointed by the Secretary of Education.

(2) Of the 65 voting members—

(A) the President of the United States appoints 55;

(B) the Speaker of the House of Representatives appoints five from among members of the House of Representatives; and

(C) the President pro tempore of the Senate appoints five, on the recommendation of the majority and minority leaders, from among members of the Senate.

(b) TERMS OF OFFICE.—(1) Except as provided in this subsection, Council members serve for terms of 5 years.

(2) The terms of the five members of the House of Representatives and the five members of the Senate appointed during a term of Congress expire at the end of that term of Congress.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The President of the United States shall appoint the Chairperson and Vice Chairperson of the Council from among the members of the Council. The Chairperson and Vice Chairperson serve for terms of 5 years.

(d) VACANCIES.—(1) A vacancy on the Council shall be filled in the same manner as the original appointment was made.

(2) A member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of the term. A member, except a Member of Congress appointed by the Speaker of the House of Representatives or the President pro tempore of the Senate, may serve after the expiration of a term until a successor takes office.

(3) The President of the United States fills a vacancy in the offices of the Chairperson and Vice Chairperson.

(e) REAPPOINTMENT.—A member whose term expires may be reappointed. The Chairperson and Vice Chairperson may be reappointed to those offices.

(f) PAY AND EXPENSES.—(1) Except as provided in paragraph (2) of this subsection, members of the Council may be paid the daily equivalent of the maximum annual rate of basic pay payable under section 5376 of title 5 for each day (including traveltime) during which they perform duties of the Council. A member is entitled to travel expenses, including a per diem allowance, as provided under section 5703 of title 5, United States Code.

(2) Members who are full-time officers or employees of the United States Government or Members of Congress may not receive additional pay because of their service on the Council.

(g) 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. The individual serves without cost to the Government.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1277.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2302(a)	36:1402(a) (1st, 2d sentences), (b) (1st sentence).	Oct. 7, 1980, Pub. L. 96-388, § 2, 94 Stat. 1547; Nov. 20, 1981, Pub. L. 97-84, (1)-(3), 95 Stat. 1097.
2302(b)	36:1402(b) (last sentence), (c)(1), (2).	
2302(c)	36:1402(d)(1) (1st sentence), (2).	
2302(d)(1)	36:1402(a) (last sentence).	
2302(d)(2)	36:1402(c)(3).	
2302(d)(3)	36:1402(d)(1) (last sentence).	
2302(e)	36:1402(e).	
2302(f)	36:1403.	Oct. 7, 1980, Pub. L. 96-388, § 3, 94 Stat. 1548.
2302(g)	36:1404 note.	Dec. 22, 1987, Pub. L. 100-202, § 101(g) [title II (1st, 2d provisos in par. under heading "United States Holocaust Memorial Council")], 101 Stat. 1329-251.

In subsection (a)(1), the text of 36:1402(b) (1st sentence) is omitted as obsolete.

In subsection (b)(1), the text of 36:1402(b) (last sentence) is omitted as expired. The words "Except as provided in subsection (b) of this section" are omitted as obsolete. The word "otherwise" is omitted as unnecessary.

In subsection (c), the words "Except as provided in paragraph (2)" are omitted as obsolete. The text of 36:1402(d)(2) is omitted as expired.

In subsection (d)(3), the words "as they arise" are omitted as unnecessary.

In subsection (f)(1), the reference to section 5376 of title 5 is substituted for the reference to grade GS-18 of the General Schedule because of section 529 [101(c)(1)] of the Treasury, Postal Service and General Government Appropriations Act, 1991 (Public Law 101-509, 104 Stat. 1442). The word "actual" is omitted as unnecessary.

§ 2303. Executive Director

(a) APPOINTMENT AND PAY.—The Chairperson of the United States Holocaust Memorial Council shall appoint an Executive Director, subject to confirmation by the Council. The Executive Director may be paid with nonappropriated funds. However, if the Executive Director is paid with appropriated funds, the rate of pay shall be a rate that is not more than the maximum rate of basic pay payable under section 5376 of title 5, United States Code. The Executive Director serves at the pleasure of the Council.

(b) DUTIES AND POWERS.—The Executive Director may—

(1) appoint employees in the competitive service subject to chapter 51 and subchapter III of chapter 53 of title 5, United States Code;

(2) appoint and fix the compensation (at a rate that is not more than the maximum rate of basic pay payable under section 5376 of title 5, United States Code) of not more than three employees, notwithstanding any other law; and

(3) implement decisions of the Council, in the manner the Council directs, and carry out other functions the Council, the Executive

Committee of the Council, or the Chairperson assigns.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1278.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2303(a)	36:1405(a).	Oct. 7, 1980, Pub. L. 96-388, § 5, 94 Stat. 1549; Nov. 20, 1981, Pub. L. 97-84, (4), 95 Stat. 1097; July 11, 1987, Pub. L. 100-71, title I (par. related to Holocaust Memorial Council under heading "United States Holocaust Memorial Council"), 101 Stat. 418; Nov. 11, 1993, Pub. L. 103-138, title III, § 309, 107 Stat. 1416.
2303(b)	36:1405(b).	

In this section, the reference to section 5376 of title 5 is substituted for the reference to grade GS-18 of the General Schedule because of section 529 [101(c)(1)] of the Treasury, Postal Service and General Government Appropriations Act, 1991 (Public Law 101-509, 104 Stat. 1442).

In subsection (b)(1), the words "relating to classification and general schedule pay rates" are omitted as unnecessary.

§ 2304. Gifts, bequests, and devises of property

(a) GENERAL.—The United States Holocaust Memorial Council may solicit, accept, own, administer, invest, and use gifts, bequests, and devises of property to aid or facilitate the construction, maintenance, and operation of the memorial museum. The property and the proceeds of the property shall be used as nearly as possible in accordance with the terms of the gift, bequest, or devise donating the property. Funds donated to and accepted by the Council under this section are not considered appropriated funds and are not subject to any requirements or restrictions applicable to appropriated funds.

(b) TAX TREATMENT.—For the purposes of Federal income, estate, and gift taxes, property accepted under this section is deemed to be a gift, bequest, or devise to the United States Government.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1278.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2304(a)	36:1407 (1st-3d sentences).	Oct. 7, 1980, Pub. L. 96-388, § 7, 94 Stat. 1549; Dec. 19, 1985, Pub. L. 99-190, § 101(d) [title III, § 324(2)], 99 Stat. 1267.
2304(b)	36:1407 (last sentence).	

In subsection (a), the word "own" is substituted for "hold" for consistency in the revised title. The words "both real and personal" are omitted as unnecessary. The words "Property may be accepted pursuant to this section" and "to be regarded as" are omitted as unnecessary.

§ 2305. Memorial museum

(a) Transfer or Purchase of Real Property in the District of Columbia.—For the purpose of establishing the memorial museum, and with the

approval of the Secretary of the Interior in consultation with the Commission of Fine Arts and the National Capital Planning Commission—

(1) a department, agency, or instrumentality of the United States Government may transfer to the administrative jurisdiction of the United States Holocaust Memorial Council, any real property in the District of Columbia that is under the administrative jurisdiction of the department, agency, or instrumentality and that the Council considers suitable for the memorial museum; and

(2) the Council may purchase, with the consent of the owner, any real property within the District of Columbia that the Council considers suitable for the memorial museum.

(b) ARCHITECTURAL DESIGN APPROVAL.—The architectural design for the memorial museum is subject to the approval of the Secretary of the Interior, in consultation with the Commission of Fine Arts and the National Capital Planning Commission.

(c) INSURANCE.—The Council shall maintain insurance on the memorial museum to cover the risks, in the amount, and containing the terms the Council considers necessary.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1278.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
2305	36:1406.	Oct. 7, 1980, Pub. L. 96-388, § 6(a)-(c), 94 Stat. 1549; Oct. 7, 1980, Pub. L. 96-388, § 6(d), (e), as added Oct. 27, 1992, Pub. L. 102-529, § 3(2), 106 Stat. 3463.

In this section, the text of 36:1406(c) and (d) is omitted as executed.

In subsection (c), the word "conditions" is omitted as included in "terms".

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."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2301 of this title.

§ 2306. Audits

When requested by Congress, the Comptroller General shall audit financial transactions of the United States Holocaust Memorial Council, including those involving donated funds, under generally accepted auditing standards. The Council shall make available for an audit under this section all records, items, or property used by the Council that are necessary for the audit. The Council shall provide facilities for verifying transactions with the balances.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1279.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2306	36:1410.	Oct. 7, 1980, Pub. L. 96-388, §10, as added Dec. 19, 1985, Pub. L. 99-190, §101(d) [title III, §324(3)], 99 Stat. 1267.

The words “The Council shall make available for an audit under this section all records” are substituted for “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” for consistency in the revised title and with other titles of the United States Code and to eliminate unnecessary words. The word “full” is omitted as unnecessary.

§ 2307. Administrative

(a) BYLAWS.—(1) The United States Holocaust Memorial Council shall adopt bylaws to carry out its functions under this chapter.

(2) The Chairperson of the Council may waive a bylaw when the Chairperson decides the waiver is in the best interest of the Council. Immediately after waiving a bylaw, the Chairperson shall send written notice to every voting member of the Council. The waiver becomes final 30 days after the notice is sent unless a majority of Council members disagrees in writing before the end of the 30-day period.

(b) QUORUM.—One-third of the members of the Council is a quorum. A vacancy in the Council does not affect its power to function.

(c) EXPERTS AND CONSULTANTS.—The Council may procure the temporary or intermittent services of experts or consultants under section 3109 of title 5, United States Code, at rates that are not more than the daily equivalent of the maximum annual rate of basic pay payable under section 5376 of title 5, United States Code.

(d) CONTRACT AUTHORITY.—In accordance with applicable law, the Council may make contracts or other arrangements with public agencies or authorities and with private organizations and persons and may make payments necessary to carry out its functions under this chapter.

(e) ASSISTANCE FROM OTHER UNITED STATES GOVERNMENT DEPARTMENTS, AGENCIES, AND INSTRUMENTALITIES.—The Secretary of the Smithsonian Institution, the Library of Congress, and all departments, agencies, and instrumentalities in the executive branch of the United States Government may assist the Council in carrying out its functions under this chapter.

(f) ADMINISTRATIVE SERVICES AND SUPPORT.—The Secretary of the Interior may provide ad-

ministrative services and support to the Council on a reimbursable basis.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1279.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2307(a)(1)	36:1404(a) (1st sentence).	Oct. 7, 1980, Pub. L. 96-388, §4, 94 Stat. 1548. Dec. 22, 1987, Pub. L. 100-202, §101(g) [title II (4th, 5th provisos in par. under heading “United States Holocaust Memorial Council”)], 101 Stat. 1329-251.
2307(a)(2)	36:1404 note.	
2307(b)	36:1404(a) (last sentence).	
2307(c)	36:1404(b).	
2307(d)	36:1404(c).	
2307(e)	36:1404(d).	
2307(f)	36:1404(e).	

In subsection (c), the words “temporary or intermittent” are added for clarity and consistency with 5:3109. The reference to section 5376 of title 5 is substituted for the reference to grade GS-18 of the General Schedule because of section 529 [101(c)(1)] of the Treasury, Postal Service and General Government Appropriations Act, 1991 (Public Law 101-509, 104 Stat. 1442).

In subsection (d), the words “or authorities” are added for consistency in the revised title and with other titles of the United States Code and for clarity because the Council may make contracts or other arrangements with State authorities.

In subsection (e), the words “departments, agencies, and instrumentalities in the executive branch of the United States Government” are substituted for “executive branch departments, agencies, and establishments of the United States” for consistency in the revised title and with other titles of the Code.

§ 2308. Annual report

Each year, the Executive Director of the United States Holocaust Memorial Council shall submit to Congress a report on the Executive Director’s stewardship of the authority to construct, maintain, and operate the memorial museum, including an accounting of all financial transactions involving donated funds.

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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2308	36:1409.	Oct. 7, 1980, Pub. L. 96-388, §9, as added Dec. 19, 1985, Pub. L. 99-190, §101(d) [title III, §324(3)], 99 Stat. 1267.

§ 2309. Authorization of appropriations

(a) GENERAL.—Amounts necessary to carry out this chapter are authorized to be appropriated for each of the fiscal years ending September 30, 1997-2000. Notwithstanding any other law, necessary amounts are authorized to be appropriated to the Council to obtain, from a private insurance carrier, insurance against loss in connection with the memorial museum and related property and exhibits.

(b) USE OF AMOUNTS FOR CONSTRUCTION BARRED.—Amounts authorized under this chapter may not be used for construction.

(c) PRIOR AUTHORITY REQUIRED.—Authority to make contracts and to make payments under

this chapter, using amounts authorized to be appropriated under this section, are effective only to the extent, and in amounts, provided in advance in an appropriations law.

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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
2309(a)	36:1408 (1st, 2d sentences).	Oct. 7, 1980, Pub. L. 96-388, § 8, 94 Stat. 1549; Oct. 27, 1992, Pub. L. 102-529, § 1, 106 Stat. 3463.
2309(b)	36:1408 (3d sentence).	
2309(c)	36:1408 (last sentence).	

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

In subsection (b), the words "Notwithstanding any other provision of this chapter" are omitted as unnecessary.

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