

HISTORICAL AND REVISION NOTES—Continued

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<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).	
2109(e)	36:138c(f).	
2109(f)	36:138c(g).	
2109(g)	36:138c note.	May 20, 1988, Pub. L. 100–322, title III, §345(b), 102 Stat. 540.

§ 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, as-