

sary. 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.

RESTORATION, OPERATION, AND MAINTENANCE OF CLARK VETERANS CEMETERY

Pub. L. 112-260, title I, §106, Jan. 10, 2013, 126 Stat. 2421, provided that:

“(a) IN GENERAL.—After an agreement is made between the Government of the Republic of the Philippines and the United States Government, Clark Veterans Cemetery in the Republic of the Philippines shall be treated, for purposes of section 2104 of title 36, United States Code, as a cemetery for which it was decided under such section that the cemetery will become a permanent cemetery and the American Battle Monuments Commission shall restore, operate, and maintain Clark Veterans Cemetery (to the degree the Commission considers appropriate) under such section in cooperation with the Government of the Republic of the Philippines.

“(b) LIMITATION ON FUTURE BURIALS.—Burials at the cemetery described in subsection (a) after the date of the agreement described in such subsection shall be limited to eligible veterans, as determined by the Commission, whose burial does not incur any cost to the Commission.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission—

“(1) \$5,000,000 for site preparation, design, planning, construction, and associated administrative costs for the restoration of the cemetery described in subsection (a); and

“(2) amounts necessary to operate and maintain the cemetery described in subsection (a).”

§ 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

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