

**§ 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