for the preceding fiscal year: *Provided, however,* That said report shall not be printed as a public document.

(May 28, 1936, ch. 471, § 49 Stat. 1391; Aug. 30, 1964, Pub. L. 88-504, § 4(10), 78 Stat. 637.)

AMENDMENTS

1964—Pub. L. 88-504 deleted ", including a full and complete report of its receipts and expenditures" following "fiscal year" and "financial" preceding "report shall not be printed."

§ 119. Agents for service of process

As a condition precedent to the exercise of any power or privilege herein granted or conferred, the Veterans of Foreign Wars of the United States shall file in the office of the Secretary of State of each State the name and post-office address of an authorized agent in such State upon whom legal process or demands against the Veterans of Foreign Wars of the United States may be served.

(May 28, 1936, ch. 471, § 9, 49 Stat. 1391.)

FEDERAL RULES OF CIVIL PROCEDURE

Agent authorized by appointment or law to receive service of process, see rule 4, Title 28, Appendix, Judiciary and Judicial Procedure.

§ 120. Reservation of right to amend or repeal chapter

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

(May 28, 1936, ch. 471, § 10, 49 Stat. 1391.)

CHAPTER 8—AMERICAN BATTLE MONUMENTS COMMISSION

Sec.
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121. American Battle Monuments Commission; appointment; secretary; terms of office; vacancies; expenses; designation and employment of personnel

The Commission, known as the American Battle Monuments Commission (referred to in sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title as the Commission), shall consist of not more than eleven members who shall be appointed by the President, who shall also appoint one officer of the Regular Army to serve as its secretary. The members and secretary shall serve at the pleasure of the President who shall fill any vacancies that from time to time occur. Notwithstanding any other provision of law, commissioned officers of the armed forces of the United States may be appointed members of the Commission.

The members of the Commission shall serve as such without compensation, except that (1) their actual expenses in connection with the work of the Commission, (2) when in a travel status outside the continental United States, a per diem at the same rate prescribed for members of the uniformed services under section 405 of Title 37, in lieu of subsistence, and (3) when in a travel status within the continental United States, a per diem at the same rate authorized to be paid under sections 5702 and 5703 of Title 5, in lieu of subsistence, may be paid to such members from any funds appropriated for the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, or acquired by other means hereinafter authorized.

Upon the request of the Commission, the heads of the Federal departments or agencies are authorized to designate such personnel, and to make available to the Commission such facilities, of their respective departments or agencies, or of the Army, Navy, Air Force, or Marine Corps, as the case may be, as may be necessary to assist in carrying out the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, and may expend for such purposes any funds appropriated to such departments, agencies, and services, with reimbursement from the Commission for the pay and allowances of the personnel so designated. The Commission is authorized to employ such further personnel as may be necessary to carry out the purposes of such sections, within the limits of any appropriation or appropriations made for such purposes. To ensure adequate care and maintenance of the cemeteries, monuments, and memorials under the jurisdiction of

the Commission, the Commission, subject to the availability of appropriations, shall employ (1) not less than 50 personnel in the competitive service (as defined in section 2102 of title 5, of whom not less than 43 shall be assigned to duty in foreign countries in which such cemeteries, monuments, and memorials are located, and (2) not less than 348 individuals who are citizens of the countries in which such cemeteries, monuments, and memorials are located, who shall be hired for local employment relating to the care and maintenance of such cemeteries, monuments, and memorials. No individual may be employed as the superintendent, or as an assistant superintendent, of a cemetery operated by the Commission unless such individual is a citizen of the United States.

The provisions of this subsection shall take effect on the first day of the first calendar month following the date of enactment of this Act.

(Mar. 4, 1923, ch. 283, § 1, 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; 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.)

REFERENCES IN TEXT

This subsection, referred to in text, probably refers to the second and third undesignated paragraphs of this section as amended by act July 25, 1956.

The date of enactment of this Act, referred to in text, probably means the date of enactment of act July 25, 1956, which was approved July 25, 1956.

AMENDMENTS

1980—Pub. L. 96-385, subject to available appropriations, required employment of at least 50 persons in the competitive service, including not less than 43 individuals for foreign assignment, for care and maintenance of cemeteries, monuments, and memorials, and at least 348 local citizens for employment at foreign locations.

1978—Pub. L. 95-479 added provision prohibiting the employment of an individual as superintendent or assistant superintendent of a cemetary unless such individual is a citizen of the United States.

1976—Pub. L. 94-256 substituted provisions authorizing the members of the Commission to receive a per diem at the same rate prescribed under section 405 of Title 37, when in a travel status outside the continental United States, and a per diem at the same rate authorized to be paid under sections 5702 and 5703 of Title 5 when in travel status within the continental United States, for provisions authorizing a per diem of $40 in lieu of subsistence when in travel status outside the continental United States, and a per diem at the same rate authorized to be paid under section 5703(c)(1) when in travel status within the continental United States.

1970—Pub. L. 91-480 substituted provisions authorizing members of the Commission to receive a per diem of $46 in lieu of subsistence when in a travel status outside the continental United States, and a per diem at the same rate authorized to be paid under section 5703(c)(1) of Title 5 when in a travel status within the continental United States, for provisions authorizing a per diem of $20 in lieu of subsistence when in a travel status.

1956—Act July 25, 1956, authorized payment of a per diem in lieu of subsistence, made the facilities of Federal departments or agencies available to the Commission, included personnel and facilities of the Air Force, and permitted expenditure of funds appropriated to Federal departments or agencies with reimbursement from the Commission.

1946—Act June 26, 1946, increased the number of Commission members from seven to eleven.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-385 effective Oct. 1, 1980, see section 601(b) of Pub. L. 96-385, set out as a note under section 314 of Title 38, Veterans' Benefits.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-479 effective Oct. 1, 1978, see section 401 of Pub. L. 95-479, set out as a note under section 314 of Title 38, Veterans' Benefits.

APPROPRIATIONS

Section 11 of act Mar. 4, 1923, authorized appropriations to effectuate original provisions of act Mar. 4, 1923, which were classified to sections 121 and 123 to 132 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 125, 127, 128, 138a, 138b of this title.

§ 121a. Omitted

CODIFICATION

Section, act Mar. 28, 1946, ch. 113, title I, § 101, 60 Stat. 60, which authorized the Commission to delegate to its chairman, secretary, or officials in charge of either the Washington or Paris offices such of its authority as it deemed necessary and proper, was from the Independent Offices Appropriation Act, 1947, and was not repeated in subsequent appropriation acts.

§ 121b. Station allowance for Army officers serving on Commission

Where station allowance has been authorized by the Department of the Army for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the Armed Forces assigned to the Commission while serving at the same foreign stations.

(Sept. 30, 1982, Pub. L. 97-272, title II, § 201, 96 Stat. 1165.)

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Dec. 23, 1981, Pub. L. 97-101, title II, § 201, 95 Stat. 1422.

Dec. 15, 1980, Pub. L. 96-526, title II, § 201, 94 Stat. 3050.

Nov. 5, 1979, Pub. L. 96-103, title II, § 201, 93 Stat. 775.

Sept. 30, 1978, Pub. L. 95-392, title II, § 201, 92 Stat. 795.

Oct. 4, 1977, Pub. L. 95-119, title II, § 201, 91 Stat. 1077.

Aug. 9, 1976, Pub. L. 94-378, title II, § 201, 90 Stat. 1098.

Oct. 17, 1975, Pub. L. 94-116, title II, § 201, 89 Stat. 587.

Sept. 6, 1974, Pub. L. 93-414, title II, § 201, 88 Stat. 1099.

Nov. 27, 1973, Pub. L. 93-162, title V, § 501, 87 Stat. 653.

Oct. 25, 1972, Pub. L. 92-544, title V, § 501, 86 Stat. 1128.
Aug. 10, 1971, Pub. L. 92-77, title V, § 501, 85 Stat. 264.
Oct. 21, 1970, Pub. L. 91-472, title V, § 501, 84 Stat. 1058.
Dec. 24, 1969, Pub. L. 91-153, title V, § 501, 83 Stat. 421.
Aug. 9, 1968, Pub. L. 90-470, title V, § 501, 82 Stat. 686.
Nov. 8, 1967, Pub. L. 90-133, title V, § 501, 81 Stat. 429.
Nov. 8, 1966, Pub. L. 80-797, title V, § 501, 80 Stat. 1501.
Sept. 2, 1965, Pub. L. 89-164, title V, § 501, 79 Stat. 639.
Aug. 31, 1964, Pub. L. 88-527, title V, § 501, 78 Stat. 731.
Dec. 30, 1963, Pub. L. 88-245, title V, § 501, 77 Stat. 796.
Oct. 18, 1962, Pub. L. 87-843, title V, § 501, 76 Stat. 1100.
Aug. 3, 1961, Pub. L. 87-125, title IV, § 401, 75 Stat. 279.
July 12, 1960, Pub. L. 86-642, title I, § 101, 74 Stat. 475.
July 8, 1959, Pub. L. 86-79, title I, § 101, 73 Stat. 164.
June 25, 1958, Pub. L. 85-466, title I, § 101, 72 Stat. 223.
June 5, 1957, Pub. L. 85-48, title I, § 101, 71 Stat. 52.
June 13, 1956, ch. 385, title I, § 101, 70 Stat. 278.
June 29, 1955, ch. 226, title I, § 101, 69 Stat. 104.
June 24, 1954, ch. 359, title I, § 101, 68 Stat. 274.
July 31, 1953, ch. 302, title I, § 101, 67 Stat. 299.
July 5, 1952, ch. 578, title I, § 101, 66 Stat. 395.

CROSS REFERENCES

Travel and transportation allowances to officers of the Army, see section 401 et seq. of Title 37, Pay and Allowances of the Uniformed Services.

§ 122. Expenses of officers of Armed Forces serving on Commission

When traveling on business of the Commission, officers of the Armed Forces serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission.

(Sept. 30, 1982, Pub. L. 97-272, title II, § 201, 96 Stat. 1165.)

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:
Dec. 23, 1981, Pub. L. 97-101, title II, § 201, 95 Stat. 1422.
Dec. 15, 1980, Pub. L. 98-526, title II, § 201, 94 Stat. 3050.
Nov. 5, 1979, Pub. L. 96-103, title II, § 201, 93 Stat. 775.
Sept. 30, 1978, Pub. L. 95-392, title II, § 201, 92 Stat. 795.
Oct. 4, 1977, Pub. L. 95-119, title II, § 201, 91 Stat. 1077.
Aug. 9, 1976, Pub. L. 94-378, title II, § 201, 90 Stat. 1099.
Oct. 17, 1975, Pub. L. 94-116, title II, § 201, 89 Stat. 587.
Sept. 6, 1974, Pub. L. 93-414, title II, § 201, 88 Stat. 1099.
Nov. 27, 1973, Pub. L. 93-162, title V, § 501, 87 Stat. 653.
Oct. 25, 1972, Pub. L. 92-544, title V, § 501, 86 Stat. 1128.
Aug. 10, 1971, Pub. L. 92-77, title V, § 501, 85 Stat. 264.
Oct. 21, 1970, Pub. L. 91-472, title V, § 501, 84 Stat. 1058.
Dec. 24, 1969, Pub. L. 91-153, title V, § 501, 83 Stat. 421.
Aug. 9, 1968, Pub. L. 90-470, title V, § 501, 82 Stat. 686.
Nov. 8, 1967, Pub. L. 90-133, title V, § 501, 81 Stat. 429.
Nov. 8, 1966, Pub. L. 89-797, title V, § 501, 80 Stat. 1501.
Sept. 2, 1965, Pub. L. 89-164, title V, § 501, 79 Stat. 639.
Aug. 31, 1964, Pub. L. 88-527, title V, § 501, 78 Stat. 731.
Dec. 30, 1963, Pub. L. 88-245, title V, § 501, 77 Stat. 796.
Oct. 18, 1962, Pub. L. 87-843, title V, § 501, 76 Stat. 1100.
Aug. 3, 1961, Pub. L. 87-125, title IV, § 401, 75 Stat. 279.
July 12, 1960, Pub. L. 86-642, title I, § 101, 74 Stat. 475.
July 8, 1959, Pub. L. 86-79, title I, § 101, 73 Stat. 164.
June 25, 1958, Pub. L. 85-488, title I, § 101, 72 Stat. 223.
June 5, 1957, Pub. L. 85-48, title I, § 101, 71 Stat. 52.
June 13, 1956, ch. 385, title I, § 101, 70 Stat. 279.
June 29, 1955, ch. 226, title I, § 101, 69 Stat. 194.
June 24, 1954, ch. 359, title I, § 101, 68 Stat. 274.
July I, 1953, ch. 302, title I, § 101, 67 Stat. 299.
July 5, 1952, ch. 578, title I, § 101, 66 Stat. 395.
Aug. 31, 1951, ch. 376, title I, § 101, 65 Stat. 269.
Sept. 6, 1950, ch. 896, ch. VIII, title I, § 101, 64 Stat. 699.
Aug. 24, 1949, ch. 506, title I, § 101, 63 Stat. 633.
Apr. 20, 1948, ch. 219, title I, § 101, 62 Stat. 179.
May 3, 1945, ch. 106, ttitle I, § 101, 59 Stat. 107.
June 27, 1944, ch. 286, title I, § 101, 58 Stat. 363.
June 26, 1943, ch. 145, title I, § 101, 57 Stat. 171.
June 27, 1942, ch. 450, § 1, 56 Stat. 395.
Apr. 5, 1941, ch. 40, § 1, 55 Stat. 95.
Apr. 18, 1940, ch. 107, § I, 54 Stat. 113.
Mar. 16, 1939, ch. 11, § 1, 53 Stat. 525.
May 23, 1938, ch. 259, § 1, 52 Stat. 412.
June 28, 1937, ch. 396, § I, 50 Stat. 331.
Mar. 19, 1936, ch. 156, § 1, 49 Stat. 1169.
Feb. 2, 1935, ch. 3, § 1, 49 Stat. 7.
June 16, 1933, ch. 101, § 1, 48 Stat. 285.
June 30, 1932, ch. 330, § 1, 47 Stat. 454.
Feb. 23, 1931, ch. 281, § 1, 46 Stat. 1356.
Apr. 19, 1930, ch. 201, § 1, 46 Stat. 231.
Feb. 20, 1929, ch. 270, § 1, 45 Stat. 1232.
May 16, 1928, ch. 580, § 1, 45 Stat. 575.
Feb. 11, 1927, ch. 104, 44 Stat. 1071.
Apr. 22, 1926, ch. 171, § 1, 44 Stat. 307.
June 7, 1924, ch. 292, § 1, 43 Stat. 522.
Apr. 2, 1924, ch. 81, § 1, 43 Stat. 35.

§ 122a. Reimbursement of agencies for salary, pay, and allowances of assigned personnel

The Commission shall reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it.

(Sept. 30, 1982, Pub. L. 97-272, title II, § 201, 96 Stat. 1165.)

CODIFICATION

Section is from the appropriation act cited as the credit to this section.

SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Dec. 23, 1981, Pub. L. 97-101, title II, § 201, 95 Stat. 1422.
Dec. 15, 1980, Pub. L. 96-526, title II, § 201, 94 Stat. 3050.
Nov. 5, 1979, Pub. L. 96-103, title II, § 201, 93 Stat. 775.
Sept. 30, 1978, Pub. L. 95-392, title II, § 201, 92 Stat. 795.
Oct. 4, 1977, Pub. L. 95-119, title II, § 201, 91 Stat. 1077.
Aug. 9, 1976, Pub. L. 94-378, title II, § 201, 90 Stat. 1099.
Oct. 17, 1975, Pub. L. 94-116, title II, § 201, 89 Stat. 587.
Sept. 6, 1974, Pub. L. 93-414, title II, § 201, 88 Stat. 1099.
Nov. 27, 1973, Pub. L. 93-162, title V, § 501, 87 Stat. 653.
Oct. 25, 1972, Pub. L. 92-544, title V, § 501, 86 Stat. 1128.
Aug. 10, 1971, Pub. L. 92-77, title V, § 501, 85 Stat. 264.
Oct. 21, 1970, Pub. L. 91-472, title V, § 501, 84 Stat. 1058.
Dec. 24, 1969, Pub. L. 91-153, title V, § 501, 83 Stat. 421.
Aug. 9, 1968, Pub. L. 90-470, title V, § 501, 82 Stat. 686.
Nov. 8, 1967, Pub. L. 90-133, title V, § 501, 81 Stat. 429.
Nov. 8, 1966, Pub. L. 89-797, title V, § 501, 80 Stat. 1501.
Sept. 2, 1965, Pub. L. 89-164, title V, § 501, 79 Stat. 639.
Aug. 31, 1964, Pub. L. 88-527, title V, § 501, 78 Stat. 731.
Dec. 30, 1963, Pub. L. 88-245, title V, § 501, 77 Stat. 796.
Oct. 18, 1962, Pub. L. 87-843, title V, § 501, 76 Stat. 1100.
Aug. 3, 1961, Pub. L. 87-125, title IV, § 401, 75 Stat. 279.
July 12, 1960, Pub. L. 86-642, title I, § 101, 74 Stat. 475.
July 8, 1959, Pub. L. 86-79, title I, § 101, 73 Stat. 164.
June 25, 1958, Pub. L. 85-468, title I, § 101, 72 Stat. 223.
June 5, 1957, Pub. L. 85-48, title I, § 101, 71 Stat. 52.
June 13, 1956, ch. 385, title I, § 101, 70 Stat. 279.
June 29, 1955, ch. 226, title I, § 101, 69 Stat. 194.
June 24, 1954, ch. 359, title I, § 101, 68 Stat. 274.

§ 122b. Military cemeteries in foreign countries; determination as permanent cemeteries; selection of new sites; design and construction; maintenance; construction by Armed Forces; burials and reburials; re-entry

When, as a result of combat operations, the Armed Forces shall establish military cemeteries in zones of operations outside the United States and its Territories and possessions, the Commission and the Secretary of the Army immediately upon the cessation of hostilities, shall determine which of the cemeteries so established, if any, shall become permanent cemeteries or, as they may deem desirable, select new sites at any other location for such cemeteries. The Commission shall be solely responsible for the design and construction of such permanent cemeteries, and of all buildings, plantings, headstones, and other permanent improvements incidental thereto except that (1) the Armed Forces shall be responsible for the maintenance of such permanent cemeteries until such time as the Commission shall express its readiness to assume the functions of administration hereinafter authorized, (2) all construction undertaken by the Armed Forces in establishing and maintaining the cemetery prior to its transfer to the Commission shall be nonpermanent in nature, (3) burials and reburials therein by the Armed Forces shall be carried out in accordance with plans prepared by the Commission, (4) the Armed Forces shall have the right to re-enter any cemeteries transferred to the Commission for the purpose of making exhumations or reinterments should they deem any such action to be necessary.

(Mar. 4, 1923, ch. 283, § 2, as added July 25, 1956, ch. 721, § 3(a), 70 Stat. 640.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a, 136b of this title.

§ 123. Powers and duties as to memorials

The Commission shall prepare plans and estimates for the erection of suitable memorials to commemorate the services of the American Armed Forces, and shall erect and maintain memorials in the United States and at such places outside the United States where the American Armed Forces have served since April 6, 1917, or shall hereafter serve, as the Commission shall determine. The Commission shall also erect and maintain works of architecture and art in such American cemeteries located outside of the United States, its Territories, and possessions, as have been or may hereafter be declared to be permanent cemeteries. Works of architecture and art erected by the Commission in cemeteries within the United States, its Territories and possessions, shall be maintained by the Department of Defense.

The Commission shall control as to materials and design and provide regulations for, and supervise the erection of, all memorial monuments and buildings in American cemeteries located outside the United States, its Territories, and possessions.

The Commission shall control as to design and provide regulations for the erection of all memorial monuments and buildings commemorating the services of the American Armed Forces erected in any foreign country or political division thereof which may authorize the Commission to perform such functions.

(Mar. 4, 1923, ch. 283, § 3, formerly § 2, 42 Stat. 1509; June 26, 1946, ch. 502, 60 Stat. 317; renumbered and amended July 25, 1956, ch. 721, §§ 2(b), 3(b), 70 Stat. 640, 641.)

AMENDMENTS

1956—Act July 25, 1956, redesignated section 2 of act Mar. 4, 1923, as section 3 of that act, and, in that section, required maintenance of works of architecture and art by the Department of Defense and eliminated provisions which gave the Commission control over memorial monuments and buildings upon federally owned or controlled property in the United States or in its Territories and possessions, except national cemeteries.

1946—Act June 26, 1946, extended the authority and field of operations of the Commission to cover all battlefields and cemeteries throughout the world.

TRANSFER OF FUNCTIONS

The functions of the War Department [now Department of the Army] pertaining to national cemeteries and memorials located in foreign countries were transferred to the American Battle Monuments Commission by Ex. Ord. No. 6614, Feb. 26, 1934.

Transfer of administration of national monuments to National Park Service, see Ex. Ord. No. 6166, § 2, June 10, 1933, set out as a note under section 901 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Ex. Ord. No. 6690, set out at end of Ex. Ord. No. 6614, provided that Ex. Ord. 6614 should become effective May 21, 1934.

SURRENDER TREE SITE IN SANTIAGO, CUBA

Pub. L. 85-125, Aug. 13, 1957, 71 Stat. 344, provided: "That the American Battle Monuments Commission is responsible for the care and maintenance of the Surrender Tree site in Santiago, Cuba. This Act takes effect on the next July 1, after the date of its enactment [Aug. 13, 1957]."

CROSS REFERENCES

National and international monuments and memorials generally, see section 431 et seq. of Title 16, Conservation.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 122b, 125, 127, 128, 138a, 138b of this title.

§ 124. Approval of designs for memorials

Before any design for any memorial is accepted by the Commission, it shall be approved by the National Commission of Fine Arts.

(Mar. 4, 1923, ch. 283, § 4, formerly § 3, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, renumbered and amended July 25, 1956, ch. 721, §§ 2(b), 3(c), 70 Stat. 640, 641.)

AMENDMENTS

1956—Act July 25, 1956, redesignated section 3 of act Mar. 4, 1923, as section 4 of that act, and eliminated provisions of that section which required prior approval of materials for memorials.

1946—Act June 26, 1946, reenacted section in toto.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a, 138b, 1381e of this title.

§ 125. Erection of war memorials

(a) Cooperation with States, etc.

The Commission is authorized to cooperate with American citizens, States, municipalities, or associations desiring to erect war memorials outside the continental limits of the United States in such manner as may be determined by the Commission: *Provided,* That no assistance in erecting any such memorial shall be given by any administrative agency of the United States unless the plan has been approved in accordance with the provisions of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title.

(b) Control, administration, and maintenance of war memorials hy the Commission

(1) The Commission is authorized, in its discretion, to assume responsibility for the control, administration, and maintenance of any war memorial erected before, on, or after the effective date of this subsection outside the United States by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association to commemorate the services of any of the American Armed Forces in hostilities occurring since April 6, 1917, if (A) the memorial is not erected on the territory of the former enemy concerned, and (B) the sponsors of the memorial consent to the Commission assuming such responsibilities and transfer to the Commission all their right, title, and interest in the memorial. If reasonable effort fails to locate the sponsors of a memorial, the Commission may assume responsibility therefor under this subsection by agreement with the appropriate foreign authorities. A decision of the Commission to assume responsibility for any war memorial under this subsection is final.

(2) Any funds accumulated by the sponsors for the maintenance and repair of a war memorial for which the Commission assumes responsibility under this subsection may be transferred to the Commission for use in carrying out the purpose of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title. Any such funds so transferred shall be deposited by the Commission in the manner provided for in section 128 of this title.

(c) Demolition of war memorials erected on foreign soils and other functions of the Commission

The Commission is authorized to take necessary measures to demolish any war memorial erected on foreign soil by an American citizen, a State, a political subdivision of a State, any other non-Federal governmental agency, foreign agency, or private association and to dispose of the site of such memorial in such manner as it deems proper, if—

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

(2) the sponsors of the memorial consent to such demolition; or

(3) the memorial has fallen into disrepair and a reasonable effort on the part of the Commission has failed—

(A) to persuade the sponsors to maintain the memorial at a standard acceptable to the Commission, or

(B) to locate the sponsors.

(d) "Sponsors" defined

As used in this section, the term "sponsors" includes the legal successors to the sponsor.

(Mar. 4, 1923, ch. 283, § 5, formerly § 4, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, renumbered July 25, 1956, ch. 721, § 2(b), 70 Stat. 640, and amended Jan. 2, 1974, Pub. L. 93-244, 87 Stat. 1070.)

REFERENCES IN TEXT

The effective date of this subsection, referred to in subsec. (b)(1), means the effective date of Pub. L. 93-244, which was approved Jan. 2, 1974.

AMENDMENTS

1974—Pub. L. 93-244 designated existing provisions as subsec. (a) and added subsecs. (b) to (d).

1956—Act July 25, 1956, redesignated section 4 of act Mar. 4, 1923, as section 5 of that act.

1946—Act of June 26, 1946, amended section generally. Former provisions of this section are now covered by section 127 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 127, 128, 138a, 138b of this title.

§ 125a. Erection of works in National Memorial Cemetery of the Pacific

The Commission is authorized to erect such works of architecture and art in the National Memorial Cemetery of the Pacific as may be determined by the Commission with the consent of the Secretary of the Army.

(June 24, 1954, ch. 359, title I, § 101, 68 Stat. 275.)

CODIFICATION

Section was not repeated in any subsequent appropriation act, which made appropriations for the American Battle Monuments Commission.

The proviso that the Commission may reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it, was omitted in view of section 122a of this title.

§ 126. Repealed. July 25, 1956, ch. 721, § 2(a), 70 Stat. 640

Section, acts Mar. 4, 1023, ch. 283, § 5, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, required the Commission to advise the Secretary of the Army of the location and date of completion of each memorial erected by it.

§ 127. Arrangements with foreign countries

The President is requested to make the necessary arrangements with the proper authorities of the countries concerned to enable the Commission to carry out the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title.

(Mar. 4, 1923, ch. 283, § 6, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317.)

AMENDMENTS

1946—Act June 26, 1946, amended section generally.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 128, 138a, 138b of this title.

§ 128. Funds received from States, municipalities, or private sources

The Commission is authorized to receive funds from any State, municipal, or private source for the purpose of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, and such funds shall be deposited by the Commission with the Treasurer of the United States and shall be kept by him in separate accounts and shall be disbursed upon vouchers approved by the Chairman of the Commission.

(Mar. 4, 1923, ch. 283, § 7, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317.)

AMENDMENTS

1946—Act June 26, 1946, amended section generally.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 138a, 138b of this title.

§§ 129, 130. Repealed. July 25, 1956, ch. 721, § 2(a), 70 Stat. 640

Section 129, acts Mar. 4, 1923, ch. 283, § 8, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, authorized the preparation of memorials at arsenals or navy yards and permitted the use of captured war material.

Section 130, acts Mar. 4, 1923, ch. 283, § 9, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, authorized the Commission to furnish replicas of any memorial, or part thereof.

§ 131. Statements to President

The Commission shall transmit to the President of the United States annually on the 1st of October a statement of all its financial and other transactions during the preceding fiscal year.

(Mar. 4, 1923, ch. 283, § 8, formerly § 10, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, renumbered July 25, 1956, ch. 721, § 2(c), 70 Stat. 640, and amended Apr. 21, 1976, Pub. L. 94-273, § 3(19), 90 Stat. 377.)

AMENDMENTS

1976—Pub. L. 94-273 substituted "October" for "July".

1946—Act June 26, 1946, reenacted section without change.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a, 138b of this title.

§ 132. Transfer of administrative functions, supplies, materials and equipment to Commission; maintenance of cemeteries located in foreign countries

The President may by Executive order transfer to the Commission, with respect to any permanent military cemeteries located outside of the United States, its Territories and possessions, the same functions of administration which were transferred to the Commission by Executive Order 6614, dated February 26, 1934, and Executive Order 10057, dated May 14, 1949, as amended by Executive Order 10087, dated December 3, 1949, together with any supplies, materials and equipment located therein or in military depots overseas which are excess to the needs of the Department of Defense and are requested by the Commission for the performance of such functions. Thereafter the Commission shall be responsible for the maintenance of such cemetery and of all improvements therein.

(Mar. 4, 1923, ch. 283, § 10, formerly § 12, 42 Stat. 1570; June 26, 1946, ch. 502, 60 Stat. 317, renumbered and amended July 25, 1956, ch. 721, §§ 2(c), 4(b), 70 Stat. 640, 641.)

REFERENCES IN TEXT

Executive Order 10057, dated May 14, 1949, as amended by Executive Order 10087, dated Dec. 3, 1949, referred to in text, is set out below.

AMENDMENTS

1956—Act July 25, 1956, redesignated section 12 of act Mar. 4, 1923, as section 10 of that act, and, in that section, substituted "permanent military cemeteries" for "national cemeteries", included Executive Orders 10057 and 10087, authorized transfer of supplies, materials and equipment, and inserted provisions making the Commission responsible for the maintenance of such cemeteries and improvements therein.

1946—Act June 26, 1946, amended section generally. Former provisions of this section are covered by section 138 of this title.

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 [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 [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; Neuvilleen-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), 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a, 138b of this title.

§§ 133 to 135. Omitted

CODIFICATION

Section 133, acts Apr. 2, 1924, ch. 81, § 1, 43 Stat. 35; June 7, 1924, ch. 292, 43 Stat. 522; Apr. 22, 1926, ch. 171, § 1, 44 Stat. 307; Feb. 11, 1927, ch. 104, § 1, 44 Stat. 1071, provided for disbursements outside of continental United States, and has not been repeated in subsequent appropriation acts.

Section 134, acts Apr. 22, 1926, ch. 171, § 1, 44 Stat. 307; Feb. 11, 1927, ch. 104, § 1, 44 Stat. 1071; May 16, 1928, ch. 580, § 1, 45 Stat. 575; Feb. 20, 1929, ch. 270, § 1, 45 Stat. 1231; Apr. 19, 1930, ch. 201, § 1, 46 Stat. 230; Feb. 23, 1931, ch. 281, § 1, 46 Stat. 1356; June 30, 1932, ch. 330, § 1, 47 Stat. 454; June 16, 1933, ch. 101, § 1, 48 Stat. 285, authorized the Commission to incur certain obligations, and has not been repeated in subsequent appropriation acts.

Section 135, act Mar. 28, 1946, ch. 113, title I, § 101, 60 Stat. 60, related to power to contract for work in Europe, etc., and has not been repeated in subsequent appropriation acts. See section 138b of this title.

§ 135a. Repealed. Oct. 10, 1940, ch. 851, § 4, 54 Stat. 1111

Section, acts June 28, 1937, ch. 398, § 1, 50 Stat. 331; May 23, 1938, ch. 259, § 1, 52 Stat. 412; Mar. 16, 1939, ch. 11, § 1, 53 Stat. 525; Apr. 18, 1940, ch. 107, § 1, 54 Stat. 113, related to purchase of supplies in minimum quantity without restrictions.

§ 136. Seal of Commission; judicial notice

The commission shall have a seal, which shall be judicially noticed.

(Feb. 11, 1927, ch. 104, § 1, 44 Stat. 1071.)

§ 137. Disposition of land in foreign countries

The commission may, under such terms and conditions and in such manner as the commission may in its discretion deem necessary and proper dispose of any land or interest in land in foreign countries which has been or may hereafter be acquired by the commission in connection with its work.

(Feb. 11, 1927, ch. 104, § 1, 44 Stat. 1071.)

CODIFICATION

Provisions of this section were to be superseded by the third paragraph of section 138b of this title upon the expiration of the Surplus Property Act of 1944. See References in Text note set out under section 138b of this title.

§ 138. Records and archives

The records and archives of the Commission, shall, when no longer required by the Commission, be deposited with the National Archives in accordance with the provisions of section 2103 of title 44.

(Mar. 4, 1923, ch. 283, § 9, formerly § 11, 42 Stat. 1510; June 26, 1946, ch. 502, 60 Stat. 317, renumbered and amended July 25, 1956, ch. 721, §§ 2(c), 4(a), 70 Stat. 640, 641.)

CODIFICATION

"Section 2103 of title 44" was substituted for "the Federal Records Act of 1950 (44 U.S.C. 397)" on authority of Pub. L. 90-620, § 2(b), Oct. 22, 1968, 82 Stat. 1305, the first section of which enacted Title 44, Public Printing and Documents.

AMENDMENTS

1956—Act July 25, 1956, redesignated section 11 of act Mar. 4, 1923, as section 9 of that act, substituted "when no longer required by the Commission" for "upon the termination of its duties" and required deposit of records and archives in accordance with the provisions of the Federal Records Act of 1950 (44 U.S.C. 397).

1946—Act June 26, 1946, amended section generally. Former provisions of this section are covered by section 138a of this title.

TRANSFER OF FUNCTIONS

The National Archives Establishment was transferred to the General Services Administration by act June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381. On Dec. 11, 1949, the National Archives and Records Service, under the direction of the Archivist of the United

States, was established by the Administrator of General Services to succeed the National Archives Establishment.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions as effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of Title 40, Public Buildings, Property, and Works.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a, 138b of this title.

§ 138a. Appropriations

Such sum or sums as Congress may after June 26, 1946, appropriate for the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title are authorized to be appropriated.

(Mar. 4, 1923, ch. 283, § 11, formerly § 13, as added June 26, 1946, ch. 502, 60 Stat. 317, and renumbered July 25, 1956, ch. 721, § 2(c), 70 Stat. 640.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138b of this title.

§ 138b. Acquisition and disposition of land in foreign countries; operation of vehicles; establishment of offices; printing authority; contract power; effective date; delegation of authority; claims against Commission

Within the limits of any appropriation or appropriations made for the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title, the Commission is authorized (1) to acquire land or interest in land in foreign countries for carrying out the purposes of said sections or of any Executive order conferring functions upon the Commission without submission to the Attorney General of the United States under the provisions of section 255 of title 40; (2) to maintain, repair, and operate motor-propelled passenger-carrying vehicles and other property, which may be furnished to the Commission by other departments of the Government; (3) to establish offices in the District of Columbia and elsewhere in or outside of the United States; (4) to rent office and garage space in foreign countries which may be paid for in advance; (5) to procure printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries with respect to which it may exercise any functions.

Notwithstanding the requirements of existing laws or regulations, under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for work, supplies, materials, and equipment outside or for use outside of the United States and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel.

The Commission may under such terms and conditions and in such manner as it may deem proper dispose of any land or interest in land in foreign countries which has been or may after June 26, 1946, be acquired by the Commission in connection with its work: *Provided*, That this subsection shall not be effective until the expiration of the Surplus Property Act of 1944.

Claims of the type described in section 2734 of title 10, on account of damage to or loss or destruction of property both real and personal, or personal injury or death of any person, arising on or after July 25, 1956 and caused by the negligent or wrongful act or omission of any officer or civilian employee of the Commission while acting within the scope of his office or employment, may be considered, ascertained, adjusted, determined, and paid in the manner provided in section 2734 of title 10 for the settlement of Army claims, except that in such cases one or more officers or employees of the Commission may be appointed by the Secretary of the Army to a claims commission or commissions or as officers to approve settlements of claims made by such commission or commissions, and all payments in settlement of such claims shall be made out of appropriations made for the purposes of sections 121, 122b to 125, 127, 128, 131, 132, and 138 to 138b of this title.

The Commission may delegate to its Chairman, secretary, or officials in charge of any of its offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.

(Mar. 4, 1923, ch. 283, § 12, formerly § 14, as added June 26, 1946, ch. 502, 60 Stat. 317, renumbered and amended July 25, 1956, ch. 721, §§ 2(c), 4(c), 70 Stat. 640, 641.)

REFERENCES IN TEXT

The expiration of the Surplus Property Act of 1944, referred to in the third paragraph, means the expiration of act Oct. 3, 1944, ch. 479, 58 Stat. 765, which was classified principally to sections 1611 to 1641 of Title 50, App., War and National Defense. The expiration of such act was to occur, pursuant to section 38 of such act, three years after cessation of hostilities of World War II. Cessation of hostilities was proclaimed on Dec. 31, 1946, by Proc. No. 2714, 12 F.R. 1, set out as a note preceding section 1 of Title 50, App. However, effective July 1, 1949, section 38 of act Oct. 3, 1944, along with substantially all of such act was repealed (except for sections 1622, 1631, 1637, and 1641 of Title 50, App.) by act June 30, 1949, ch. 288, title VI, § 602(a)(1), 63 Stat. 399, renumbered Sept. 5, 1950, ch. 849, § 6(a), (b), 64 Stat. 583. Sections 1622 and 1641 were partially repealed by the 1949 act, and section 1622 is still set out in part in Title 50 App. Section 1631 was repealed by act June 7, 1938, ch. 190, § 6(e), as added by act July 23, 1946, ch. 590, 60 Stat. 599, and is covered by sections 98 et seq. of Title 50, War and National Defense. Section 1637 was repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948, and is covered by section 3287 of Title 18, Crimes and Criminal Procedure. Provisions of section 1641 not repealed by the 1949 act were repealed by Pub. L. 87-256, § 111(a)(1), Sept. 21, 1961, 75 Stat. 538, and are covered by chapter 33 (§ 2451 et seq.) of Title 22, Foreign Relations and Intercourse. The provisions of the Surplus Property Act of 1944 originally repealed by the 1949 act are covered by chapter 10 (§ 471 et seq.) of Title 40, Public Buildings, Property, and Works.

CODIFICATION

In the fourth paragraph, "section 2734 of title 10" was 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", on authority of act Aug. 10, 1956, § 49(b), ch. 1041, 70A Stat. 640, the first section of which enacted Title 10, Armed Forces. The 1942 Act originally enacted sections 224d to 224i-1, and repealed section 223a, of former Title 31, Money and Finance. Sections 224d, 224h, and 224i of former Title 31 were repealed by the 1956 Act, and reenacted as section 2734 of Title 10, Armed Forces. Sections 224e, 224f, 224g, and 224i-1 of former Title 31 were repealed by the 1956 Act as being unnecessary and executed.

AMENDMENTS

1956—Act July 25, 1956, redesignated section 14 of act Mar. 4, 1923, as section 12 of that act, and amended that section to permit the Commission to contract for work, supplies, materials, and equipment for use outside the United States, and to authorize the consideration, ascertainment, adjustment, determination, and payment of claims caused by the negligent or wrongful act or omission of any officer or civilian employee of the Commission.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 121, 125, 127, 128, 138a of this title.

CHAPTER 8A—THE NATIONAL YEOMEN F

Sec.
139. Corporation created; purposes.
139a. Right to hold property; constitution, bylaws and seal.
139b. Deposit of historical material.

§ 139. Corporation created; purposes

Eva H. Clarke, Beatrice Brown Dwyer, and Mary J. O'Donnell, of Arizona;

Ruby Busse Anglim, Lottie Sessions Barrett, Philome Lucy Cavanagh, Stella Austen Clark, Pearl Bonham Clerk, Lillian Koeber Deamer, Harriet Jane Dodson, Alma Simmermacher Dreyer, Stella Neumann Elberson, Ola Belle Emmner, Edna Crumpler Estes, Mirian Mathews Everett, Katherine Driscoll Fallon, Kathleen Vance Hatch, Eva Wilson Hay, Ellen Keefe Heady, Ruth Hemphill, Myrtle Kinsey, Anna Geisler Kirkpatrick, Katherine Brown Lightner, Margaret Dannagger Lovelace, Lillian Catherine McCarthy, Gladys Farmer McCool, Laura Landes Metcalf, Louise Vickery Mowers, Ruth Manahan Neal, Gladys D. Nelson, Madeline O'Leary Peggs, Caroline Peirce, Sara Craddock Sasser, May Gesner Schaefer, Billie Browne Schank, Rita Beauton Schaub, Etienne V. Schier, Louise Williams Sears, Anne Williams Shumway, Florence Kelly Sparrow, Laura V. Waldron, Agnes L. Walker, Gladys Spalding Wheless, Evelyn Lyon Wiberg, and Muriel Andrews Zerangue, all of California;

Gladys Yeager Briggs, and Blanche Marion Curry, of Colorado;

Grace Pascoe Agard, Julie Sternberg Aichler, Mary Sweeney Alling, Sara Hinchey Barry, Anna Kilroy Bean, Kathleen Moriarity Begley, Anna Lyons Bergin, Ethel Cornet Bolles, Anna McDowell Brown, Mary MacKenzie Carson, Lucy Galvin Cavanaugh, Rose Reiger Chapman, Dorothy Sara Clifford, Monica Cecelia Clifford, Sadie Connelly, Marjory Murray Cormack, Martha Swirsky Cotton, Marion McEntee Cox, Ione Disco Cunningham, Katherine Lyng Donovan, Margaret Bess Dordelman, Marguerite Driscoll, Mae Sheehan Dwyer, Ruth Lawson Euster, Katherine Frances Fagan, Ethel Clendenen Fargo, Gertrude Selesnitzky Feinberg, Elisabeth Tagliabue Fields, Helen Buckley Fitzgerald, Irene Catherine Fitzgerald, Anna Campbell Forsythe, Anna J. Gaughan, Mary Penders Gillis, Mary Agnes Grady, Theresa Madeleine Hamill, Alice Mary Harrington, Florence Hulbert Hermanus, Ella Veronica Houlihan, Deborah Pickett Kane, Frances Walsh Keenan, Margaret O'Brien Kennedy, Hazel Merwin Lander, Elizabeth Mallon Leighton, Agnes Carlson Lukens, Catherine Gertrude MacKenzie, Clara Armstrong MacKenzie, Edna Murray Manchester, Mary Driscoll Markham, A. Regina Martin, Josephine McAuliffe Martin, Bellerose Meunier, Mazie Rogers Miller, Elsie Reichert Moon, Winnifred Patricia Nagle, Isabelle Dickson Peterson, Lucy Riley Pfannenstiel, Jewel Perkins Pitt, Eleanor Donahoe Reilly, Elizabeth Kepes Reynolds, Ida Reed Sanders, Alice Savage, Mildred Mabel Schwartz, Margaret Hogan Seaman, Ida Selesnitzky Stone, Agusta Strand, Caroline Wyllie Waterman, Juliana Augusta Weske, Helen Weinhusen, Louise Arnold Wiley, Selina Lee Winter, Margaret Hardiman Wrisley, Mary Connors Wundrack, and Marie Deering Yeager, all of Connecticut;

Norma M. Albers, Lucille Loveless Allan, Gladys Elizabeth Allen, Sarah Jarvis Andrus, Edith Ober Armstrong, Mary Hough Barber, May A. Barrett, Nettie Neitzey Beach, Mary Munday Becker, Esther Hall Beckett, Anne Curtin Belt, Charlotte Louise Berry, Jeannette L. Bishop, Alice Boland Bloomfield, Amelia Boberg, Beulah Holtzscheiter Bosworth, Jane M. Breen, Kate Knight Briggs, Eloise Broaddus, Helen Sprague Brown, Lola Carlisle Straliman Browning, Rose Flood Buice, Annette Louise Burton, Gertrude Bange Butts, Mary Callen, Daisy House Campbell, Ella Echols Chambers, Emma S. Collie, Maude V. Cowan, Jane Regina Cox, Catherine Crowley, Reva S. Darrell, F. Pearl Delaplaine, Eleanor Marie Downey, Alice M. Downie, Cora Laughlin Drake, Anna Cecelia Dunn, Emma Schroder Dyer, Bessie London Faine, Elizabeth Waters Fallis, Anna Schultz Frame, Barbara Spence French, Agnes Monia Gallagher, Annie Ellen Gilson, Eleanor Mary Griffith, Mary Derouda Hall, Amy F. Hammond, Adelaide Ruth Harbers, Dorothy B. Harper, Carolyn Hardesty Herman, Nellie Grant Hinson, Mary E. Jones, Claire Keefe, Kathryn Gallagher Kendrick, Ann Kilmartin, Hope Knickerbocker, Louise Elender Koester, Mary Beall Kolhos, Helen Lucinda Leonard, Edith Kite Lewis, Mary Dove Loughrey, Marie B. Luebkert, Lillian Allen Brubaker Luther, Helen Horigan Maisel, Laura Garcia Martin, Louise Greenwald Matthews, Helen C. McCarty, Geraldine Clark McGovern, Lois B. McRae, Ellen Russell McWilliams, Eloise Sanford Davison Miller, Mary Kurth Moler, Alice Alford Morgan, Anna Lochte