

recognize the history, concerns, contributions, and achievements of Asian and Pacific Americans;

"(4) in 1990, 1991 and 1992, Congress designated and the President proclaimed the month of May as Asian/Pacific American Heritage Month;

"(5) nearly 8,000,000 people in the United States can trace their roots to Asia and the islands of the Pacific; and

"(6) Asian and Pacific Americans have contributed significantly to the development of the arts, sciences, government, military, commerce, and education in the United States."

## CHAPTER 10—PATRIOTIC CUSTOMS

Sec.

189. Recognition of National League of Families POW/MIA flag.

### § 189. Recognition of National League of Families POW/MIA flag

The National League of Families POW/MIA flag is hereby recognized officially and 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.

(Pub. L. 101-355, § 2, Aug. 10, 1990, 104 Stat. 416.)

#### DISPLAY OF POW/MIA FLAG

Pub. L. 102-190, div. A, title X, § 1084, Dec. 5, 1991, 105 Stat. 1482, provided that:

"(a) **DISPLAY OF POW/MIA FLAG.**—The POW/MIA flag, having been recognized and designated in section 2 of Public Law 101-355 (104 Stat. 416) [36 U.S.C. 189] as the symbol of the Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing, and unaccounted for, thus ending the uncertainty for their families and the Nation, 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 specified in subsection (b) on any day designated by law as National POW/MIA Recognition Day.

"(b) **SPECIFIED BUILDINGS FOR FLAG DISPLAY.**—The buildings referred to in subsection (a)(2) are the buildings containing the primary offices of—

"(1) the Secretary of State;

"(2) the Secretary of Defense;

"(3) the Secretary of Veterans Affairs; and

"(4) the Director of the Selective Service System.

"(c) **PROCUREMENT AND DISTRIBUTION OF FLAGS.**—Within 30 days after the date of the enactment of this Act [Dec. 5, 1991], the Administrator of General Services shall procure POW/MIA flags and distribute them as necessary to carry out this section.

"(d) **TERMINATION OF FLAG DISPLAY REQUIREMENT.**—Subsection (a) shall cease to apply upon a determination by the President that the fullest possible accounting has been made of all members of the Armed Forces and civilian employees of the United States who have been identified as prisoner of war or missing in action in Southeast Asia.

"(e) **POW/MIA FLAG DEFINED.**—As used in this section, the term 'POW/MIA flag' means the National League of Families POW/MIA flag recognized officially and designated by section 2 of Public Law 101-355 (104 Stat. 416)."

## CHAPTER 13—NATIONAL ACADEMY OF SCIENCES

### § 253. Meeting; duties; expenses and compensation

#### EX. ORD. NO. 2859. NATIONAL RESEARCH COUNCIL OF NATIONAL ACADEMY OF SCIENCES

Ex. Ord. No. 2859, May 11, 1918, as amended by Ex. Ord. No. 10668, May 10, 1956, 21 F.R. 3155; Ex. Ord. No. 12832, Jan. 19, 1993, 58 F.R. 5905, provided:

National Research Council of the National Academy of Sciences

WHEREAS (1) the congressional charter of the National Academy of Sciences ("Academy") charges it, upon call from any U.S. Government Department, to investigate, examine, experiment, and report upon any subject of science or art and (2) the actual expenses of the Academy for such investigations, examinations, experiments, and reports shall be paid to the Academy through one or more of the following: private gifts and bequests; appropriations for the benefit of the Academy; grants-in-aid, contracts, and other forms of financial agreement with executive departments and agencies, provided that the Academy shall receive no compensation whatever for any services to the Government of the United States; and

WHEREAS the National Research Council ("Council") was organized in 1916 at the request of the President by the National Academy of Sciences, under its congressional charter, as a measure of national preparedness; and

WHEREAS the Council is the principal operating agency of the National Academy of Sciences and the National Academy of Engineering, the latter having been established in 1964 under the charter of the National Academy of Sciences; and

WHEREAS the Institute of Medicine of the National Academy of Sciences, established in 1970 under the Academy's charter, conducts its programs and activities under the approval, operating, and review procedures of the Council; and

WHEREAS in recognition of the work accomplished through the Council in organizing research, in furthering science, and in securing cooperation of government and nongovernment agencies in the solution of their problems, the Council has been perpetuated by the Academy as requested by the President in Executive Order No. 2859 of May 11, 1918; and

WHEREAS the effective prosecution of the Council's work may require the close cooperation of the scientific and technical branches of the Government, both military and civil, and makes participation by officers and employees of the Government in the work of the Council desirable; and

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is ordered as follows:

1. The functions of the Council shall be as follows:

(a) To stimulate research in the mathematical, physical, biological, environmental, and social sciences, and in the application of these sciences to engineering, agriculture, medicine, and other useful arts, with the object of increasing knowledge, of strengthening the national security including the contribution of science and engineering to economic growth, of ensuring the health of the American people, of aiding in the attainment of environmental goals, and of contributing in other ways to the public welfare.

(b) To survey the broad possibilities of science, to formulate comprehensive projects of research, and to develop effective means of utilizing the scientific and technical resources of the country for dealing with such projects.

(c) To promote cooperation in research, at home and abroad, in order to secure concentration of effort, minimize duplication, and stimulate progress; but in all cooperative undertakings to give encouragement to indi-

vidual initiative, as fundamentally important to the advancement of science.

(d) To serve as a means of bringing American and foreign investigators into active cooperation with the scientific and technical services of the Federal Government.

(e) To direct the attention of scientific and technical investigators to the importance of military and industrial problems in connection with national security, to the importance of environmental problems in connection with public health and the economy, and to aid in the solution of these problems by organizing specific research.

(f) To gather and collate scientific and technical information, at home and abroad, in cooperation with governmental and other agencies, and to disseminate such information to duly accredited persons and the public.

2. Scientists, engineers, and other technically qualified professionals who are officers or employees of departments and agencies of the executive branch of the Government are encouraged to participate in the work of the Council as requested by the Council to the extent authorized by the head of the officer's or employee's agency or department and permitted by law.

3. To the extent permitted by law and regulation, and in accordance with the congressional charter of the Academy, the actual expense of investigations, examinations, experiments, and reports by the Academy for the executive branch of the Government shall be paid to the Academy through one or more of the following: private gifts and bequests; appropriations for the benefit of the Academy; grants-in-aid, contracts, and other forms of financial agreement with executive departments and agencies. The Academy shall receive no compensation whatever for any services to the Government of the United States. Further, the Academy shall be subject to all provisions of OMB Circular A-122, "Cost Principles for Non-Profit Organizations," and to such other requirements regarding or limiting the Academy's recovery of costs as the Director of the Office of Management and Budget may specify from time to time in writing to the Academy and to agencies and departments of the Government.

4. When a department or agency of the executive branch of the Government determines that the Academy, because of its unique qualifications, is the only source that can provide the measure of expertise, independence, objectivity, and audience acceptance necessary to meet the department's or agency's program requirements, acquisition of services by the Academy may be obtained on a noncompetitive basis if otherwise in accordance with applicable law and regulations.

## CHAPTER 22—PERSHING HALL MEMORIAL FUND

Sec.

493. Transfer of Pershing Hall to jurisdiction, custody, and control of Department of Veterans Affairs.
- (a) In general.
  - (b) Administration.
  - (c) Leases.
  - (d) Fund.
  - (e) Waiver.

### § 491. Creation of fund; investments; payments to American Legion

#### ABOLITION OF PERSHING HALL MEMORIAL FUND

The Pershing Hall Memorial Fund, established pursuant to this section, was abolished and the corpus and accrued interest was transferred to the Pershing Hall Revolving Fund. See section 493(d)(3) of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 493 of this title.

### § 493. Transfer of Pershing Hall to jurisdiction, custody, and control of Department of Veterans Affairs

#### (a) In general

Pershing Hall, an existing memorial in Paris, France, owned by the United States, together with the personal property of such memorial, is hereby placed under the jurisdiction, custody, and control of the Department of Veterans Affairs so that the memorial to the commander-in-chief, officers, men, and auxiliary services of the American Expeditionary Forces in France during World War I may be continued in an appropriate manner and financial support be provided therefor.

#### (b) Administration

(1)(A) The Secretary of Veterans Affairs shall administer, operate, develop, and improve Pershing Hall and its site in such manner as the Secretary determines is in the best interests of the United States, which may include use of Pershing Hall to meet the needs of veterans. To meet such needs, the Secretary may establish and operate a regional or other office to disseminate information, respond to inquiries, and otherwise assist veterans and their families in obtaining veterans' benefits.

(B) To carry out the purposes of this section, the Secretary may enter into agreements authorized by subsection (c) of this section to fund the operation of the memorial and projects authorized by subsection (d)(6) of this section.

(2)(A) The Secretary shall, after consultation with the American Battle Monuments Commission, provide for a portion of Pershing Hall to be specifically dedicated, with appropriate exhibitions and monuments, to the memory of the commander-in-chief, officers, men, and auxiliary services of the American Expeditionary Forces in France during World War I.

(B) The establishment and continuing supervision of the memorial that is dedicated pursuant to subparagraph (A) shall be carried out by the American Battle Monuments Commission.

(3) To the extent that funds are available in the Pershing Hall Revolving Fund established by subsection (d) of this section, the Secretary may incur such expenses with respect to Pershing Hall as the Secretary determines necessary or appropriate.

(4) The Secretary of Veterans Affairs may provide the allowances and benefits described in section 235 of title 38<sup>1</sup> to personnel of the Department of Veterans Affairs who are United States citizens and are assigned by the Secretary to Pershing Hall.

#### (c) Leases

(1) The Secretary may enter into agreements as the Secretary determines necessary or appropriate for the operation, development, and improvement of Pershing Hall and its site, including the leasing of portions of the Hall for terms not to exceed 99 years in areas that are newly constructed or substantially rehabilitated and

<sup>1</sup> See References in Text note below.