

Public Law 792

CHAPTER 721

July 25, 1956
[S. 3498]

AN ACT

To extend authority of the American Battle Monuments Commission to all areas in which the Armed Forces of the United States have conducted operations since April 6, 1917, and for other purposes.

American Battle
Monuments Com-
mission.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second and third paragraphs of the first section of the Act entitled "An Act for the creation of the American Battle Monuments Commission to erect suitable memorials commemorating the services of the American Soldier in Europe, and for other purposes", approved March 4, 1923 (42 Stat. 1509, as amended; 36 U. S. C. 121), are amended to read as follows:

Compensation.

"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, and (2) when in a travel status, a per diem of \$20 in lieu of subsistence, may be paid to them from any funds appropriated for the purposes of this Act, or acquired by other means hereinafter authorized.

Personnel.

"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 this Act, 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 this Act, within the limits of any appropriation or appropriations made for such purposes.

Effective date.

"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."

Repeals.
33 USC 126, 129,
130.
Redesignations.

SEC. 2. (a) Sections 5, 8, and 9 of such Act are repealed.

(b) Sections 2, 3, and 4 of such Act are redesignated as sections 3, 4, and 5, respectively, of such Act.

(c) Sections 10, 11, 12, 13, and 14 of such Act are redesignated as sections 8, 9, 10, 11, and 12, respectively, of such Act.

(d) Each reference made hereinafter to any section of such Act, the numbering of which is redesignated by subsection (b) or (c) of this section, shall be deemed to be made to such section as so redesignated.

Cemeteries out-
side U. S.

SEC. 3. (a) Such Act is amended by inserting, immediately after the first section thereof, the following new section:

"SEC. 2. 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 administra-

tion 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."

(b) Section 3 of such Act is amended to read as follows:

"SEC. 3. 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."

(c) Section 4 of such Act is amended to read as follows:

"SEC. 4. Before any design for any memorial is accepted by the Commission, it shall be approved by the National Commission of Fine Arts."

SEC. 4. (a) Section 9 of such Act is amended to read as follows:

"SEC. 9. 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 the Federal Records Act of 1950 (44 U. S. C. 397)."

(b) Section 10 of such Act is amended to read as follows:

"SEC. 10. 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."

(c) Section 12 of such Act is amended by—

(1) striking out the words "such purposes" in the first paragraph thereof, and inserting in lieu thereof the words "the purposes of this Act";

(2) inserting in the second paragraph thereof, immediately after the word "outside", a comma and the words "or for use outside,"; and,

36 USC 123.
Memorials.
Powers and duties.

36 USC 124.
Design.
Approval.

36 USC 138.
Records and archives.

36 USC 132.
Administrative functions.
Transfer.

36 USC 132 notes.

60 Stat. 317.
36 USC 138b.

(3) inserting, immediately after the third paragraph thereof, the following new paragraph:

Claims. "Claims of the type described in 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), 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 the date of the enactment of this paragraph 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 such Act 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 this Act."

57 Stat. 66.

Approved July 25, 1956.

Public Law 793

CHAPTER 722

July 25, 1956
[S. 3180]

AN ACT

To amend title 28 of the United States Code to authorize the appointment of two United States commissioners for Cumberland Gap National Historical Park.

Cumberland Gap
National Historical
Park.
62 Stat. 916.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 631 (a) of title 28 of the United States Code is amended by inserting after the third paragraph of such section the following new paragraph:

"Two United States commissioners may be appointed for Cumberland Gap National Historical Park. One, whose jurisdiction shall be limited to the portion of the park situated in Kentucky, shall be appointed by the District Court for the Eastern District of Kentucky; the other, whose jurisdiction shall be limited to the portion of the park situated in Tennessee and Virginia, shall be appointed by joint action of the District Courts for the Eastern District of Tennessee and the Western District of Virginia."

Approved July 25, 1956.

Public Law 794

CHAPTER 723

July 25, 1956
[S. 3397]

AN ACT

To amend section 3 of the Act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, and for other purposes.

Indians.
Shoshone and
Arapahoe Tribes.25 USC 613.
Per capita pay-
ments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation", approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended to read as follows: "SEC. 3. Notwithstanding any other provision of existing law, the trust funds credited to the Shoshone Tribe and the Arapahoe Tribe,