

115TH CONGRESS  
2D SESSION

# S. 3661

To provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 27, 2018

Mr. INHOFE (for himself, Mr. REED, Mr. ROUNDS, Ms. DUCKWORTH, Mr. HELLER, and Mr. PETERS) introduced the following bill; which was read twice, considered, read the third time, and passed

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## A BILL

To provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “75th Anniversary of  
5       World War II Commemoration Act”.

6       **SEC. 2. PROGRAM TO COMMEMORATE 75TH ANNIVERSARY**  
7       **OF WORLD WAR II.**

8       (a) **COMMEMORATIVE PROGRAM AUTHORIZED.**—The  
9       Secretary of Defense shall conduct a program to com-  
10      memorate the 75th anniversary of World War II. In con-

1 ducting the commemorative program, the Secretary shall  
2 support and facilitate other programs and activities of the  
3 Federal Government, State and local governments, and  
4 not-for-profit organizations in commemoration of the 75th  
5 anniversary of World War II. The Secretary shall conduct  
6 the commemorative program in accordance with applicable  
7 Department of Defense policy and using resources avail-  
8 able to the Secretary, including amounts in the Fund  
9 under subsection (d).

10 (b) COMMEMORATIVE ACTIVITIES AND OBJEC-  
11 TIVES.—The commemorative program may include activi-  
12 ties and ceremonies to achieve the following objectives:

13 (1) To thank and honor veterans of World War  
14 II, including personnel who were held as prisoners of  
15 war or listed as missing in action, for their service  
16 and sacrifice on behalf of the United States and to  
17 thank and honor the families of these veterans.

18 (2) To educate the public about the history of  
19 World War II and highlight the service of the Armed  
20 Forces during World War II and the contributions  
21 of Federal agencies and governmental and non-  
22 governmental organizations that served with, or in  
23 support of, the Armed Forces.

1           (3) To pay tribute to the contributions made on  
2           the home front by the people of the United States  
3           during World War II.

4           (4) To recognize the contributions and sac-  
5           rifices made by the allies of the United States dur-  
6           ing World War II.

7           (5) To remember the Holocaust, the annihila-  
8           tion of 6,000,000 Jews by the Nazi regime, and to  
9           pay tribute to the Allied troops who liberated Nazi  
10          concentration camps during World War II.

11          (c) NAMES AND SYMBOLS.—The Secretary of De-  
12          fense shall have the sole and exclusive right to use the  
13          name “The United States of America 75th Anniversary  
14          of World War II Commemoration”, and such seal, em-  
15          blems, and badges incorporating such name as the Sec-  
16          retary may lawfully adopt. Nothing in this section may  
17          be construed to supersede rights that are established or  
18          vested before the date of the enactment of this Act.

19          (d) COMMEMORATIVE FUND.—

20                (1) ESTABLISHMENT AND ADMINISTRATION.—

21          Upon the Secretary establishing the commemorative  
22          program under subsection (a), the Secretary of the  
23          Treasury shall establish in the Treasury of the  
24          United States an account to be known as the “De-  
25          partment of Defense World War II Commemoration

1 Fund” (in this section referred to as the “Fund”).  
2 The Fund shall be administered by the Secretary of  
3 Defense.

4 (2) USE OF FUND.—The Secretary of Defense  
5 shall use the assets of the Fund only for the purpose  
6 of conducting the commemorative program and pro-  
7 viding grants to State and local governments and  
8 not-for-profit organizations for commemorative ac-  
9 tivities, and shall prescribe such regulations regard-  
10 ing the use of the Fund as the Secretary considers  
11 to be necessary.

12 (3) DEPOSITS.—The following shall be depos-  
13 ited into the Fund:

14 (A) Amounts appropriated to the Fund.

15 (B) Proceeds derived from the Secretary’s  
16 use of the exclusive rights described in sub-  
17 section (c).

18 (C) Donations made in support of the com-  
19 memorative program by private and corporate  
20 donors.

21 (D) Funds transferred to the Fund by the  
22 Secretary from funds appropriated for fiscal  
23 year 2019 and subsequent years for the Depart-  
24 ment of Defense.

1           (4) AVAILABILITY.—Subject to subsection  
2           (g)(2), amounts deposited under paragraph (3) shall  
3           constitute the assets of the Fund and remain avail-  
4           able until expended.

5           (5) BUDGET REQUEST.—The Secretary of De-  
6           fense may establish a separate budget line for the  
7           commemorative program. In the budget justification  
8           materials submitted by the Secretary in support of  
9           the budget of the President for any fiscal year for  
10          which the Secretary establishes the separate budget  
11          line, the Secretary shall—

12                 (A) identify and explain any amounts ex-  
13                 pended for the commemorative program in the  
14                 fiscal year preceding the budget request;

15                 (B) identify and explain the amounts being  
16                 requested to support the commemorative pro-  
17                 gram for the fiscal year of the budget request;  
18                 and

19                 (C) present a summary of the fiscal status  
20                 of the Fund.

21          (e) ACCEPTANCE OF VOLUNTARY SERVICES.—

22                 (1) AUTHORITY TO ACCEPT SERVICES.—Not-  
23                 withstanding section 1342 of title 31, United States  
24                 Code, the Secretary of Defense may accept from any  
25                 person voluntary services to be provided in further-

1       ance of the commemorative program. The Secretary  
2       of Defense shall prohibit the solicitation of any vol-  
3       untary services if the nature or circumstances of  
4       such solicitation would compromise the integrity or  
5       the appearance of integrity of any program of the  
6       Department of Defense or of any individual involved  
7       in the program.

8               (2) REIMBURSEMENT OF INCIDENTAL EX-  
9       PENSES.—The Secretary may provide for reimburse-  
10      ment of incidental expenses incurred by a person  
11      providing voluntary services under this subsection.  
12      The Secretary shall determine which expenses are el-  
13      igible for reimbursement under this paragraph.

14           (f) CONSULTATION WITH DIRECTOR OF THE UNITED  
15   STATES HOLOCAUST MEMORIAL MUSEUM.—In designing  
16   the commemorative program conducted under this section,  
17   the Secretary of Defense shall consult with the Director  
18   of the United States Holocaust Memorial Museum.

19           (g) FINAL REPORT.—

20               (1) REPORT REQUIRED.—Not later than 60  
21      days after the end of the commemorative program  
22      established by the Secretary of Defense under sub-  
23      section (a), the Secretary shall submit to Congress  
24      a report containing an accounting of—

1 (A) all of the funds deposited into and ex-  
 2 pended from the Fund;

3 (B) any other funds expended under this  
 4 section; and

5 (C) any unobligated funds remaining in  
 6 the Fund.

7 (2) TREATMENT OF UNOBLIGATED FUNDS.—  
 8 Unobligated amounts remaining in the Fund as of  
 9 the end of the commemorative period shall be held  
 10 in the Fund until transferred by law.

11 (h) LIMITATION ON EXPENDITURES.—Total expendi-  
 12 tures from the Fund, using amounts appropriated to the  
 13 Department of Defense, may not exceed \$5,000,000 for  
 14 fiscal year 2019 or for any subsequent fiscal year to carry  
 15 out the commemorative program.

16 (i) SUNSET.—

17 (1) COMMEMORATIVE PROGRAM.—The com-  
 18 memorative program shall terminate on December  
 19 31, 2021.

20 (2) FUND.—The Fund shall terminate 60 days  
 21 after the termination of the commemorative pro-  
 22 gram.

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