

115TH CONGRESS  
2D SESSION

# S. 3661

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. PROGRAM TO COMMEMORATE 75TH ANNIVERSARY**  
5 **OF WORLD WAR II.**

6 (a) **COMMEMORATIVE PROGRAM AUTHORIZED.**—The  
7 Secretary of Defense shall conduct a program to com-  
8 memorate the 75th anniversary of World War II. In con-  
9 ducting the commemorative program, the Secretary shall  
10 support and facilitate other programs and activities of the  
11 Federal Government, State and local governments, and  
12 not-for-profit organizations in commemoration of the 75th  
13 anniversary of World War II. The Secretary shall conduct  
14 the commemorative program in accordance with applicable  
15 Department of Defense policy and using resources avail-  
16 able to the Secretary, including amounts in the Fund  
17 under subsection (d).

18 (b) **COMMEMORATIVE ACTIVITIES AND OBJEC-**  
19 **TIVES.**—The commemorative program may include activi-  
20 ties and ceremonies to achieve the following objectives:

21 (1) To thank and honor veterans of World War  
22 II, including personnel who were held as prisoners of  
23 war or listed as missing in action, for their service  
24 and sacrifice on behalf of the United States and to  
25 thank and honor the families of these veterans.

1           (2) To educate the public about the history of  
2 World War II and highlight the service of the Armed  
3 Forces during World War II and the contributions  
4 of Federal agencies and governmental and non-  
5 governmental organizations that served with, or in  
6 support of, the Armed Forces.

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

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

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

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

25          (d) COMMEMORATIVE FUND.—

1           (1) ESTABLISHMENT AND ADMINISTRATION.—

2           Upon the Secretary establishing the commemorative  
3           program under subsection (a), the Secretary of the  
4           Treasury shall establish in the Treasury of the  
5           United States an account to be known as the “De-  
6           partment of Defense World War II Commemoration  
7           Fund” (in this section referred to as the “Fund”).  
8           The Fund shall be administered by the Secretary of  
9           Defense.

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

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

20                   (A) Amounts appropriated to the Fund.

21                   (B) Proceeds derived from the Secretary’s  
22           use of the exclusive rights described in sub-  
23           section (c).

1           (C) Donations made in support of the com-  
2           memorative program by private and corporate  
3           donors.

4           (D) Funds transferred to the Fund by the  
5           Secretary from funds appropriated for fiscal  
6           year 2019 and subsequent years for the Depart-  
7           ment of Defense.

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

12          (5) BUDGET REQUEST.—The Secretary of De-  
13          fense may establish a separate budget line for the  
14          commemorative program. In the budget justification  
15          materials submitted by the Secretary in support of  
16          the budget of the President for any fiscal year for  
17          which the Secretary establishes the separate budget  
18          line, the Secretary shall—

19                (A) identify and explain any amounts ex-  
20                pended for the commemorative program in the  
21                fiscal year preceding the budget request;

22                (B) identify and explain the amounts being  
23                requested to support the commemorative pro-  
24                gram for the fiscal year of the budget request;  
25                and

1                   (C) present a summary of the fiscal status  
2                   of the Fund.

3                   (e) ACCEPTANCE OF VOLUNTARY SERVICES.—

4                   (1) AUTHORITY TO ACCEPT SERVICES.—Not-  
5                   withstanding section 1342 of title 31, United States  
6                   Code, the Secretary of Defense may accept from any  
7                   person voluntary services to be provided in further-  
8                   ance of the commemorative program. The Secretary  
9                   of Defense shall prohibit the solicitation of any vol-  
10                  untary services if the nature or circumstances of  
11                  such solicitation would compromise the integrity or  
12                  the appearance of integrity of any program of the  
13                  Department of Defense or of any individual involved  
14                  in the program.

15                  (2) REIMBURSEMENT OF INCIDENTAL EX-  
16                  PENSES.—The Secretary may provide for reimburse-  
17                  ment of incidental expenses incurred by a person  
18                  providing voluntary services under this subsection.  
19                  The Secretary shall determine which expenses are el-  
20                  igible for reimbursement under this paragraph.

21                  (f) CONSULTATION WITH DIRECTOR OF THE UNITED  
22                  STATES HOLOCAUST MEMORIAL MUSEUM.—In designing  
23                  the commemorative program conducted under this section,  
24                  the Secretary of Defense shall consult with the Director  
25                  of the United States Holocaust Memorial Museum.

1 (g) FINAL REPORT.—

2 (1) REPORT REQUIRED.—Not later than 60  
3 days after the end of the commemorative program  
4 established by the Secretary of Defense under sub-  
5 section (a), the Secretary shall submit to Congress  
6 a report containing an accounting of—

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

9 (B) any other funds expended under this  
10 section; and

11 (C) any unobligated funds remaining in  
12 the Fund.

13 (2) TREATMENT OF UNOBLIGATED FUNDS.—  
14 Unobligated amounts remaining in the Fund as of  
15 the end of the commemorative period shall be held  
16 in the Fund until transferred by law.

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

22 (i) SUNSET.—

23 (1) COMMEMORATIVE PROGRAM.—The com-  
24 memorative program shall terminate on December  
25 31, 2021.

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

Passed the Senate November 27, 2018.

Attest:

*Secretary.*



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