BILATERAL

MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA REGARDING COOPERATION IN THE RESTORATION...

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The Government of the Republic of the Philippines and the Government of the United State of America (the "Participants").

Desiring to strengthen the bonds of friendship and respect existing between them; and

Recognizing the importance of appropriate maintenance of the final resting places of veterans:

Have decided as follows:

Section I
Definitions

As used in this Memorandum of Understanding ("MOU"):

- The term "American Battle Monuments Commission" (ABMC) means the agency of the United States Government established in 1923 under U.S. law.

- The term "Bases Conversion and Development Authority" (BCDA) means the agency of the Government of the Philippines established in 1992 under Philippine law.

- The term "Clark Veterans Cemetery"' refers to the approximately 70,000 square meter property owned by the Government of the Philippines under the BCDA and locate adjacent to Manuel A. Roxas Highway, Angeles City, Philippines, and more specifically described in the location map hereto attached as Annex A.

- The term "new burials" means any burial occurring at Clark Veterans Cemetery after the date of signature of this MOU.

Section II
Restoration, Operation, and Maintenance of Clark Veterans Cemetery

The Participants acknowledge that titles to the lands constituting the Clark Veteran Cemetery remain vested solely in the BCDA, however, the Participants confirm their understanding that the ABMC may restore, operate, and maintain Clark Veterans Cemetery to the degree it deems most appropriate in cooperation with the Government of the Republic of the Philippines, through the BCDA.

Section III
New Burials

The Participants further confirm their understanding that:

- New burials are to be approved by the ABMC.

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- After receiving approval from ABMC, the survivors are to obtain clearance from the BCDA, which is to review the request for compliance with rules, regulations, and laws of the relevant local government unit(s) on burials and other applicable laws of the Republic of the Philippines.

- It is intended that the ABMC is to make the determination of whether an individual is eligible for burial through honorable service in the Armed Forces of the United States by reference to the corresponding official United States Department of Defense record, the Department of Defense form 214, or earlier documentation. It is further intended that the determination of whether an individual is eligible for burial through service as a Philippine Scout is to be based upon the Discharge certificate.

- Burials are to be accomplished at no cost to the ABMC.

- Within 30 days following the signing of this MOU, the Participants intend that ABMC and the BCDA will establish a working group to implement this Section.

Section IV

Miscellaneous Terms

- The Participants confirm their intention that this MOU is to be implemented by the ABMC and the BCDA. In the event that a Participant proposes that the activities under this MOU be carried out by any other entity, the Participants intend that the requesting Participant seek the prior written consent of the other Participant.

- The Participants confirm their intention to conduct activities under this MOU consistent with applicable laws on burials, occupancy, security, and sanitation, of the premises and applicable rules, safety regulations and other pertinent rules and regulations that may be promulgated by the BCDA. This intention also applies to any construction, alteration addition, or improvement to Clark Veterans Cemetery. The Participants further confirm their intention that the ABMC would consult with the BCDA regarding the consistency of activities under this MOU with applicable laws, rules and regulations.

- The Participants confirm their understanding that the BCDA has the right to enter the Cemetery at reasonable times and upon reasonable notice, for purposes of inspecting the same.

- The Participants confirm their understanding that the BCDA has no plan to asses any fees, service charges, or similar charges in regard to ABMC's restoration operation and maintenance of Clark Veterans Cemetery.

Section V

Duration and Discontinuation

- The Participants intend to commence cooperation under this MOU upon signature for period of ten (10) years and intend for such cooperation to automatically renew for similar ten (10) year periods. Either Participant may discontinue cooperation under the MOU at any time but should endeavor to provide the other Participant with ninety (90) days advance written notice.

- This MOU may be modified at any time upon mutual written confirmation of the Participants.

SIGNED in duplicate in Manila, this 16th day of December, 2013.

For the Government of the Republic of the Philippines

For the Government of the United States of America

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(SGD.) ARNEL PACIANO D. CASANOVA

(SGD.) PHILIP S. GOLDBERG

President and Chief Executive Officer Bases Conversion and Development Authority

Ambassador of the United States of America to the Philippines

Entry into Force: December 16, 2013

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