

108TH CONGRESS  
1ST SESSION

# H. R. 3406

To amend the Oklahoma City National Memorial Act of 1997 to transfer the Oklahoma City National Memorial to the Oklahoma City National Memorial Foundation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2003

Mr. ISTOOK (for himself, Mr. LUCAS of Oklahoma, Mr. COLE, Mr. SULLIVAN, and Mr. CARSON of Oklahoma) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To amend the Oklahoma City National Memorial Act of 1997 to transfer the Oklahoma City National Memorial to the Oklahoma City National Memorial Foundation, and for other purposes.

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. AMENDMENTS TO OKLAHOMA CITY NATIONAL**  
4 **MEMORIAL ACT OF 1997.**

5 (a) SHORT TITLE.—This section may be cited as the  
6 “Oklahoma City National Memorial Act Amendments of  
7 2003”.

1 (b) FOUNDATION DEFINED; CONFORMING AMEND-  
2 MENT.—Section 3 of the Oklahoma City National Memo-  
3 rial Act of 1997 (16 U.S.C. 450ss–1) is amended—

4 (1) by redesignating paragraphs (1), (2), and  
5 (3) as paragraphs (2), (3), and (4), respectively;

6 (2) by inserting immediately preceding para-  
7 graph (2) (as so redesignated by paragraph (1) of  
8 this subsection) the following new paragraph:

9 “(1) FOUNDATION.—The term ‘Foundation’  
10 means the Oklahoma City National Memorial Foun-  
11 dation, a not-for-profit corporation that is—

12 “(A) described in section 501(c)(3) of the  
13 Internal Revenue Code of 1986;

14 “(B) exempt from taxation under section  
15 501(a) of such Code; and

16 “(C) dedicated to the support of the Me-  
17 morial.”; and

18 (3) in paragraph (3), by striking “designated  
19 under section 5(a)”.

20 (c) ADMINISTRATION OF MEMORIAL BY FOUNDA-  
21 TION.—Section 4 of the Oklahoma City National Memo-  
22 rial Act of 1997 (16 U.S.C. 450ss–2) is amended—

23 (1) in subsection (a)—

24 (A) by striking “a unit” and inserting “an  
25 affiliate”; and

1 (B) by striking the second sentence;

2 (2) by redesignating subsection (b) as sub-  
3 section (c);

4 (3) by inserting after subsection (a) the fol-  
5 lowing new subsection:

6 “(b) ADMINISTRATION OF MEMORIAL.—The Founda-  
7 tion shall administer the Memorial in accordance with this  
8 Act and the general objectives of the ‘Memorial Mission  
9 Statement’, adopted March 26, 1996, by the Founda-  
10 tion.”; and

11 (4) in subsection (c) (as so redesignated by  
12 paragraph (2) of this subsection) by striking “1997  
13 (hereafter” and all that follows through the final pe-  
14 riod and inserting “1997. The map shall be on file  
15 and available for public inspection in the appropriate  
16 office of the Foundation.”.

17 (d) TRANSFER OF MEMORIAL PROPERTY, RIGHTS,  
18 AUTHORITIES, AND DUTIES.—Section 5 of the Oklahoma  
19 City National Memorial Act of 1997 (16 U.S.C. 450ss-  
20 3) is amended to read as follows:

21 **“SEC. 5. TRANSFER OF MEMORIAL PROPERTY, RIGHTS, AU-**  
22 **THORITIES, AND DUTIES.**

23 “(a) TRANSFER OF MEMORIAL PROPERTY.—

24 “(1) IN GENERAL.—Not later than 90 days  
25 after the date of the enactment of the Oklahoma

1 City National Memorial Act Amendments of 2003,  
2 the Trust shall transfer to the Foundation—

3 “(A) all assets of the Trust, including all  
4 real and personal property of the Memorial, any  
5 appurtenances, buildings, facilities, monuments,  
6 contents, artifacts, contracts and contract  
7 rights, accounts, deposits, intangibles, trade-  
8 marks, trade names, copyrights, all other intel-  
9 lectual property, and all other real and personal  
10 property of every kind and character comprising  
11 the Memorial;

12 “(B) any property owned by the Trust that  
13 is adjacent or related to the Memorial; and

14 “(C) all property maintained for the Me-  
15 morial, together with all rights, authorities, and  
16 duties relating to the ownership, administration,  
17 operation, and management of the Memorial.

18 “(2) SUBSEQUENT GIFTS.—Any artifact, memo-  
19 rial, or other personal property that is received by,  
20 or is intended by any person to be given to, the  
21 Trust after the date of transfer of property under  
22 paragraph (1) shall be the property of the Founda-  
23 tion.

24 “(b) ASSUMPTION OF TRUST OBLIGATIONS.—Any  
25 obligations of the Trust relating to the Memorial that have

1 been approved by the Trust before the date on which the  
2 property is transferred under subsection (a) shall become  
3 the responsibility of the Foundation on the date of the  
4 transfer.

5 “(c) DISSOLUTION OF TRUST.—Not later than 30  
6 days after the transfer under subsection (a) is com-  
7 pleted—

8 “(1) the Trust shall be dissolved; and

9 “(2) the Trust shall notify the Secretary of the  
10 date of dissolution.

11 “(d) AUTHORITY TO ENTER INTO AGREEMENTS.—

12 The Secretary, acting through the National Park Service,  
13 is authorized to enter into 1 or more cooperative agree-  
14 ments with the Foundation for the National Park Service  
15 to provide interpretive services related to the Memorial  
16 and such other assistance as may be agreed upon between  
17 the Secretary and the Foundation. The costs of the serv-  
18 ices and other agreed assistance shall be paid by the Sec-  
19 retary.

20 “(e) LIMITATION.—Nothing in this Act shall prohibit  
21 the use of State and local law enforcement for the pur-  
22 poses of security related to the Memorial.”.

23 (e) REPEAL OF DUTIES AND AUTHORITIES OF  
24 TRUST.—

1           (1) IN GENERAL.—Section 6 of the Oklahoma  
2           City National Memorial Act of 1997 (16 U.S.C.  
3           450ss–4) is repealed.

4           (2) EFFECTIVE DATE.—The repeal under this  
5           subsection shall take effect upon the transfer of the  
6           Memorial property, rights, authorities, and duties  
7           pursuant to the amendments made by subsection  
8           (d).

9           (f) AUTHORIZATION OF APPROPRIATIONS.—Section 7  
10          of the Oklahoma City National Memorial Act of 1997 (16  
11          U.S.C. 450ss–5) is amended—

12           (1) in paragraph (1), by inserting “for an en-  
13           dowment fund subject to paragraph (2)” after “the  
14           sum of \$5,000,000”; and

15           (2) in paragraph (2)—

16           (A) by striking “Trust or to the Oklahoma  
17           City Memorial”; and

18           (B) by striking “or operation” and insert-  
19           ing “operation, or endowment”.

20          (g) AUTHORIZATION OF SECRETARY TO REIMBURSE  
21          PREVIOUS COSTS PAID BY FOUNDATION OR TRUST.—

22           (1) AUTHORIZATION FOR REIMBURSEMENT.—  
23           To the extent that funds are made available for this  
24           subsection, the Secretary of the Interior shall reim-  
25           burse the Oklahoma City National Memorial Foun-

1        dation for funds obligated or expended by the Okla-  
2        homa City National Memorial Foundation or the  
3        Oklahoma City National Memorial Trust to the Sec-  
4        retary of the Interior for interpretive services, secu-  
5        rity, and other costs and services related to the  
6        Oklahoma City National Memorial before the date of  
7        the enactment of this Act. The Oklahoma City Na-  
8        tional Memorial Foundation may use such reim-  
9        bursed funds for the operation, maintenance, and  
10       permanent endowment of the Oklahoma City Na-  
11       tional Memorial.

12            (2) AUTHORIZATION FOR APPROPRIATION.—  
13        There is authorized to be appropriated to the Sec-  
14        retary of the Interior \$1,500,000 to carry out this  
15        subsection.

16            (h) REPEAL OF DISPOSITION OF SITE OF ALFRED  
17        P. MURRAH FEDERAL BUILDING.—Section 8 of the Okla-  
18        homa City National Memorial Act of 1997 (16 U.S.C.  
19        450ss–6) is repealed.

20            (i) REPEAL OF STUDY REQUIREMENT.—Section 9 of  
21        the Oklahoma City National Memorial Act of 1997 (16  
22        U.S.C. 450ss–7) is repealed.

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