

106TH CONGRESS
1ST SESSION

S. 884

To establish the National Military Museum Foundation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 1999

Mr. SARBANES (for himself, Mr. TORRICELLI, and Mr. HUTCHINSON) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To establish the National Military Museum 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. ESTABLISHMENT OF NATIONAL MILITARY MU-**
4 **SEUM FOUNDATION.**

5 (a) IN GENERAL.—(1) Part B of subtitle II of title
6 36, United States Code, is amended by inserting after
7 chapter 1519 the following new chapter:

1 **“CHAPTER 1520—NATIONAL MILITARY**
 2 **MUSEUM FOUNDATION**

“Sec.

“151951. Establishment.

“151952. Purposes.

“151953. Membership.

“151954. Governing body.

“151955. Organizational matters.

“151956. Officers and employees.

“151957. Powers.

“151958. Duty to maintain tax-exempt status.

“151959. Additional annual reports.

3 **“§ 151951. Establishment**

4 “There is established a nonprofit corporation to be
 5 known as the National Military Museum Foundation (in
 6 this chapter referred to as the ‘Foundation’). The Founda-
 7 tion is not an agency or instrumentality of the United
 8 States.

9 **“§ 151952. Purposes**

10 “The Foundation shall have the following purposes:

11 “(1) To encourage and facilitate the preserva-
 12 tion of military artifacts having historical or techno-
 13 logical significance.

14 “(2) To promote innovative solutions to the
 15 problems associated with the preservation of such
 16 artifacts.

17 “(3) To facilitate research on and educational
 18 activities relating to military history.

19 “(4) To promote voluntary partnerships be-
 20 tween the Federal Government and the private sec-

1 tor for the preservation of such artifacts and of mili-
2 tary history.

3 “(5) To facilitate the display of such artifacts
4 for the education and benefit of the public.

5 “(6) To develop publications and other interpre-
6 tive materials pertinent to the historical collections
7 of the Armed Forces of the United States that will
8 supplement similar publications and materials avail-
9 able from public, private, and corporate sources.

10 “(7) To provide financial support for edu-
11 cational, interpretive, and conservation programs of
12 the Armed Forces relating to such artifacts.

13 “(8) To broaden public understanding of the
14 role of the military in United States history.

15 “(9) To recognize and honor the individuals
16 who have served in the Armed Forces.

17 **“§ 151953. Membership**

18 “Eligibility for membership in the Foundation and
19 the rights, privileges, and designation of classes of mem-
20 bers of the Foundation shall be as provided in the con-
21 stitution and bylaws of the Foundation.

22 **“§ 151954. Governing body**

23 “(a) BOARD OF DIRECTORS.—(1) The Foundation
24 shall have a Board of Directors (in this chapter referred
25 to as the ‘Board’) composed of nine individuals appointed

1 by the Secretary of Defense from among individuals who
2 are United States citizens.

3 “(2) Of the individuals appointed under paragraph
4 (1)—

5 “(A) at least one shall have an expertise in his-
6 toric preservation;

7 “(B) at least one shall have an expertise in
8 military history;

9 “(C) at least one shall have an expertise in the
10 administration of museums; and

11 “(D) at least one shall have an expertise in
12 military technology and materiel.

13 “(b) CHAIRPERSON.—(1) The Secretary shall des-
14 ignate one of the individuals first appointed to the Board
15 under subsection (a) as the chairperson of the Board. The
16 individual so designated shall serve as chairperson for a
17 term of 2 years.

18 “(2) Upon the expiration of the term of chairperson
19 of the individual designated as chairperson under para-
20 graph (1), or of the term of a chairperson elected under
21 this paragraph, the members of the Board shall elect a
22 chairperson of the Board from among its members.

23 “(c) TERM.—(1) Subject to paragraph (2), members
24 appointed to the Board shall serve on the Board for a term
25 of 4 years.

1 “(2) If a member of the Board misses three consecu-
2 tive meetings of the Board, the Board may remove the
3 member from the Board for that reason.

4 “(d) VACANCY.—Any vacancy in the Board shall not
5 affect its powers but shall be filled, not later than 60 days
6 after the vacancy, in the same manner in which the origi-
7 nal appointment was made.

8 “(e) QUORUM.—A majority of the members of the
9 Board shall constitute a quorum.

10 “(f) MEETINGS.—The Board shall meet at the call
11 of the chairperson of the Board. The Board shall meet
12 at least once a year.

13 **“§ 151955. Organizational matters**

14 “The members of the Board first appointed under
15 section 151954(a) of this title shall—

16 “(1) adopt a constitution and bylaws for the
17 Foundation;

18 “(2) serve as incorporators of the Foundation;
19 and

20 “(3) take whatever other actions the Board de-
21 termines appropriate in order to establish the Foun-
22 dation as a nonprofit corporation.

23 **“§ 151956. Officers and employees**

24 “(a) EXECUTIVE DIRECTOR.—The Foundation shall
25 have an executive director appointed by the Board and

1 such other officers as the Board may appoint. The execu-
 2 tive director and the other officers of the Foundation shall
 3 be compensated at rates fixed by the Board and shall serve
 4 at the pleasure of the Board.

5 “(b) EMPLOYEES.—Subject to the approval of the
 6 Board, the Foundation may employ such individuals, and
 7 at such rates of compensation, as the executive director
 8 determines appropriate.

9 “(c) VOLUNTEERS.—Subject to the approval of the
 10 Board, the Foundation may accept the services of volun-
 11 teers in the performance of the functions of the Founda-
 12 tion.

13 “(d) SERVICE OF FEDERAL EMPLOYEES.—A person
 14 who is a full-time or part-time employee of the Federal
 15 Government may not serve as a full-time or part-time em-
 16 ployee of the Foundation and shall not be considered for
 17 any purpose an employee of the Foundation.

18 **“§ 151957. Powers**

19 “In order to carry out the purposes of this chapter,
 20 the Foundation may—

21 “(1) accept, hold, administer, invest, and spend
 22 any gift, devise, or bequest of real or personal prop-
 23 erty made to the Foundation;

24 “(2) enter into contracts with individuals, pub-
 25 lic or private organizations, professional societies,

1 and government agencies for the purpose of carrying
 2 out the functions of the Foundation; and

3 “(3) enter into such other contracts, leases, co-
 4 operative agreements, and other transactions as the
 5 executive director of the Foundation considers ap-
 6 propriate to carry out the activities of the Founda-
 7 tion.

8 **“§ 151958. Duty to maintain tax-exempt status**

9 “The Foundation shall maintain its status as an or-
 10 ganization exempt from taxation under the Internal Rev-
 11 enue Code of 1986 (26 U.S.C. 1 et seq.).

12 **“§ 151959. Additional annual reports**

13 “In addition to the annual report required by section
 14 10101(b) of this title, the Foundation shall submit to the
 15 Secretary of Defense on an annual basis a report on the
 16 activities of the Foundation during the preceding fiscal
 17 year, including a full and complete statement of the re-
 18 ceipts, expenditures, investment activities, and other fi-
 19 nancial activities of the Foundation during such fiscal
 20 year.”.

21 (2) The table of chapters at the beginning of subtitle
 22 II of title 36, United States Code, is amended by inserting
 23 after the item relating to chapter 1519 the following new
 24 item:

“1520. National Military Museum Foundation151951”.

1 (b) INITIAL SUPPORT.—(1) There is authorized to be
2 appropriated for the Department of Defense for fiscal year
3 2000, \$250,000 for the purpose of making a grant to the
4 National Military Museum Foundation established by
5 chapter 1520 of title 36, United States Code (as added
6 by subsection (a)), in order to assist the Foundation in
7 defraying the costs of its activities. Such amount shall be
8 available for such purpose until expended.

9 (2) In each of fiscal years 2000 through 2002, the
10 Secretary of Defense may provide, without reimbursement,
11 personnel, facilities, and other administrative services of
12 the Department to the Foundation.

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