

105TH CONGRESS
1ST SESSION

S. 686

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

IN THE SENATE OF THE UNITED STATES

MAY 1, 1997

Mr. SARBANES (for himself, Mr. HUTCHINSON, and Mr. TORRICELLI) 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 There is established a nonprofit corporation to be
6 known as the National Military Museum Foundation (in
7 this Act referred to as the “Foundation”). The Founda-
8 tion is not an agency or instrumentality of the United
9 States.

1 **SEC. 2. PURPOSES.**

2 The Foundation shall have the following purposes:

3 (1) To encourage and facilitate the preservation
4 of military artifacts having historical or techno-
5 logical significance.

6 (2) To promote innovative solutions to the prob-
7 lems associated with the preservation of such arti-
8 facts.

9 (3) To facilitate research on and educational
10 activities relating to military history.

11 (4) To promote voluntary partnerships between
12 the Federal Government and the private sector for
13 the preservation of such artifacts and of military
14 history.

15 (5) To facilitate the display of such artifacts for
16 the education and benefit of the public.

17 (6) To develop publications and other interpre-
18 tive materials pertinent to the historical collections
19 of the Armed Forces that will supplement similar
20 publications and materials available from public, pri-
21 vate, and corporate sources.

22 (7) To provide financial support for edu-
23 cational, interpretive, and conservation programs of
24 the Armed Forces relating to such artifacts.

25 (8) To broaden public understanding of the role
26 of the military in United States history.

1 (9) To recognize and honor the individuals who
2 have served in the Armed Forces of the United
3 States.

4 **SEC. 3. BOARD OF DIRECTORS.**

5 (a) BOARD OF DIRECTORS.—(1) The Foundation
6 shall have a Board of Directors (in this Act referred to
7 as the “Board”) composed of nine individuals appointed
8 by the Secretary of Defense from among individuals who
9 are United States citizens.

10 (2) Of the individuals appointed under paragraph
11 (1)—

12 (A) at least one shall have an expertise in his-
13 toric preservation;

14 (B) at least one shall have an expertise in mili-
15 tary history;

16 (C) at least one shall have an expertise in the
17 administration of museums; and

18 (D) at least one shall have an expertise in mili-
19 tary technology and materiel.

20 (b) CHAIRPERSON.—(1) The Secretary shall des-
21 ignate one of the individuals first appointed to the Board
22 under subsection (a) as the chairperson of the Board. The
23 individual so designated shall serve as chairperson for a
24 term of 2 years.

1 (2) Upon the expiration of the term of chairperson
 2 of the individual designated as chairperson under para-
 3 graph (1), or of the term of a chairperson elected under
 4 this paragraph, the members of the Board shall elect a
 5 chairperson of the Board from among its members.

6 (c) TERM.—(1) Subject to paragraph (2), members
 7 appointed to the Board shall serve on the Board for a term
 8 of 4 years.

9 (2) If a member of the Board misses three consecu-
 10 tive meetings of the Board, the Board may remove the
 11 member from the Board for that reason.

12 (d) VACANCY.—Any vacancy in the Board shall not
 13 affect its powers but shall be filled, not later than 60 days
 14 after the vacancy, in the same manner in which the origi-
 15 nal appointment was made.

16 (e) QUORUM.—A majority of the members of the
 17 Board shall constitute a quorum.

18 (f) MEETINGS.—The Board shall meet at the call of
 19 the chairperson of the Board. The Board shall meet at
 20 least once a year.

21 **SEC. 4. ORGANIZATIONAL MATTERS.**

22 The members of the Board first appointed under sec-
 23 tion 3(a) shall—

24 (1) adopt a constitution and bylaws for the
 25 Foundation;

1 (2) serve as incorporators of the Foundation;
2 and

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

6 **SEC. 5. OFFICERS AND EMPLOYEES.**

7 (a) EXECUTIVE DIRECTOR.—The Foundation shall
8 have an executive director appointed by the Board and
9 such other officers as the Board may appoint. The execu-
10 tive director and the other officers of the Foundation shall
11 be compensated at rates fixed by the Board and shall serve
12 at the pleasure of the Board.

13 (b) EMPLOYEES.—Subject to the approval of the
14 Board, the Foundation may employ such individuals, and
15 at such rates of compensation, as the executive director
16 determines appropriate.

17 (c) VOLUNTEERS.—Subject to the approval of the
18 Board, the Foundation may accept the services of volun-
19 teers in the performance of the functions of the Founda-
20 tion.

21 (d) SERVICE OF FEDERAL EMPLOYEES.—A person
22 who is a full-time or part-time employee of the Federal
23 Government may not serve as a full-time or part-time em-
24 ployee of the Foundation and shall not be considered for
25 any purpose an employee of the Foundation.

1 **SEC. 6. POWERS AND RESPONSIBILITIES.**

2 In order to carry out the purposes of this Act, the
3 Foundation is authorized to—

4 (1) accept, hold, administer, invest, and spend
5 any gift, devise, or bequest of real or personal prop-
6 erty made to the Foundation;

7 (2) enter into contracts with individuals, public
8 or private organizations, professional societies, and
9 government agencies for the purpose of carrying out
10 the functions of the Foundation; and

11 (3) enter into such other contracts, leases, coop-
12 erative agreements, and other transactions as the ex-
13 ecutive director of the Foundation considers appro-
14 priate to carry out the activities of the Foundation.

15 **SEC. 7. AUDITS.**

16 (a) AUDITS.—The first section of the Act entitled
17 “An Act to provide for the audit of accounts of private
18 corporations established under Federal law,” approved
19 August 30, 1964 (36 U.S.C. 1101), is amended by adding
20 at the end the following:

21 “(79) The National Military Museum Founda-
22 tion.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall take effect on the date that the chair-
25 person of the Board notifies the Secretary of Defense of
26 the incorporation of the Foundation under this Act.

1 **SEC. 8. REPORTS.**

2 As soon as practicable after the end of each fiscal
 3 year of the Foundation, the Board shall submit to Con-
 4 gress and to the Secretary of Defense a report on the ac-
 5 tivities of the Foundation during the preceding fiscal year,
 6 including a full and complete statement of the receipts,
 7 expenditures, investment activities, and other financial ac-
 8 tivities of the Foundation during such fiscal year.

9 **SEC. 9. INITIAL SUPPORT.**

10 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is
 11 authorized to be appropriated for the Department of De-
 12 fense for fiscal year 1998 \$1,000,000 for the purpose of
 13 making a grant to the Foundation in order to assist the
 14 Foundation in defraying the costs of its activities. Such
 15 amount shall be available for such purpose until expended.

16 (b) **ADDITIONAL SUPPORT.**—In each of fiscal years
 17 1998 through 2000, the Secretary of Defense may provide,
 18 without reimbursement, personnel, facilities, and other ad-
 19 ministrative services of the Department to the Founda-
 20 tion.

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