

(3) suffering with such families are countless survivors, including children, who struggle not only with the suffering around them, but their own physical and emotional injuries and with shaping a life beyond April 19;

(4) such losses and struggles are personal and, since they resulted from so public an attack, they are also shared with a community, a Nation, and the world;

(5) the story of the bombing does not stop with the attack itself or with the many losses it caused. The responses of Oklahoma's public servants and private citizens, and those from throughout the Nation, remain as a testament to the sense of unity, compassion, even heroism, that characterized the rescue and recovery following the bombing;

(6) during the days immediately following the Oklahoma City bombing, Americans and people from around the world of all races, political philosophies, religions and walks of life responded with unprecedented solidarity and selflessness; and

(7) given the national and international impact and reaction, the Federal character of the site of the bombing, and the significant percentage of the victims and survivors who were Federal employees, the Oklahoma City Memorial will be established, designed, managed and maintained to educate present and future generations, through a public/private partnership, to work together efficiently and respectfully in developing a National Memorial relating to all aspects of the April 19, 1995, bombing in Oklahoma City.

(Pub. L. 105-58, § 2, Oct. 9, 1997, 111 Stat. 1261.)

#### SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-199, div. F, title V, § 544(a), Jan. 23, 2004, 118 Stat. 347, provided that: "This section [amending sections 450ss-1 to 450ss-3 and 450ss-5 of this title, repealing sections 450ss-4, 450ss-6, and 450ss-7 of this title, and enacting provisions set out as notes under sections 450ss-3 and 450ss-4 of this title] may be cited as the 'Oklahoma City National Memorial Act Amendments of 2003'."

#### SHORT TITLE

Pub. L. 105-58, § 1, Oct. 9, 1997, 111 Stat. 1261, provided that: "This Act [enacting this section and sections 450ss-1 to 450ss-7 of this title] may be cited as the 'Oklahoma City National Memorial Act of 1997'."

### § 450ss-1. Definitions

In sections 450ss to 450ss-7 of this title:

#### (1) Foundation

The term "Foundation" means the Oklahoma City National Memorial Foundation, a not-for-profit corporation that is—

(A) described in section 501(c)(3) of title 26;

(B) exempt from taxation under section 501(a) of such title; and

(C) dedicated to the support of the Memorial.

#### (2) Memorial

The term "Memorial" means the Oklahoma City National Memorial designated under section 450ss-2(a) of this title.

#### (3) Secretary

The term "Secretary" means the Secretary of the Interior.

#### (4) Trust

The term "Trust" means the Oklahoma City National Memorial Trust.

(Pub. L. 105-58, § 3, Oct. 9, 1997, 111 Stat. 1262; Pub. L. 108-199, div. F, title V, § 544(b), Jan. 23, 2004, 118 Stat. 347.)

#### AMENDMENTS

2004—Pub. L. 108-199 added par. (1), redesignated former pars. (1) to (3) as pars. (2) to (4), respectively, and struck out "designated under section 450ss-3(a) of this title" before the period in par. (4).

### § 450ss-2. Oklahoma City National Memorial

(a) In order to preserve for the benefit and inspiration of the people of the United States and the world, as a National Memorial certain lands located in Oklahoma City, Oklahoma, there is established as an affiliate of the National Park System the Oklahoma City National Memorial.

(b) ADMINISTRATION OF MEMORIAL.—The Foundation shall administer the Memorial in accordance with sections 450ss to 450ss-7 of this title and the general objectives of the "Memorial Mission Statement", adopted March 26, 1996, by the Foundation.

(c) The Memorial area shall be comprised of the lands, facilities and structures generally depicted on the map entitled "Oklahoma City National Memorial", numbered OCNM 001, and dated May 1997. The map shall be on file and available for public inspection in the appropriate office of the Foundation.

(Pub. L. 105-58, § 4, Oct. 9, 1997, 111 Stat. 1262; Pub. L. 108-199, div. F, title V, § 544(c), Jan. 23, 2004, 118 Stat. 347.)

#### AMENDMENTS

2004—Subsec. (a). Pub. L. 108-199, § 544(c)(1), substituted "an affiliate" for "a unit" in first sentence and struck out second sentence, which read as follows: "The Memorial shall be administered by the Trust in cooperation with the Secretary and in accordance with the provisions of sections 450ss to 450ss-7 of this title, sections 1, 2, 3, and 4 of this title, and sections 461 to 467 of this title."

Subsec. (b). Pub. L. 108-199, § 544(c)(3), added subsec. (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 108-199, § 544(c)(2), (4), redesignated subsec. (b) as (c), substituted "1997. The map shall be on file and available for public inspection in the appropriate office of the Foundation." for "1997 (hereafter referred to in sections 450ss to 450ss-7 of this title as the 'map'):", and struck out pars. (1) and (2) which read as follows:

"(1) Such map shall be on file and available for public inspection in the appropriate offices of the National Park Service and the Trust.

"(2) After advising the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives, in writing, the Trust, as established by section 450ss-3 of this title, in consultation with the Secretary, may make minor revisions of the boundaries of the Memorial when necessary by publication of a revised drawing or other boundary description in the Federal Register."

### § 450ss-3. Transfer of Memorial property, rights, authorities, and duties

#### (a) Transfer of Memorial property

##### (1) In general

Not later than 90 days after January 23, 2004, the Trust shall transfer to the Foundation—

(A) all assets of the Trust, including all real and personal property of the Memorial, any appurtenances, buildings, facilities, monuments, contents, artifacts, contracts and contract rights, accounts, deposits, intangibles, trademarks, trade names, copyrights, all other intellectual property, all other real and personal property of every kind and character comprising the Memorial, and any amounts appropriated for the Trust;

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

(C) all property maintained for the Memorial, together with all rights, authorities, and duties relating to the ownership, administration, operation, and management of the Memorial.

**(2) Subsequent gifts**

Any artifact, memorial, or other personal property that is received by, or is intended by any person to be given to, the Trust after the date of transfer of property under paragraph (1) shall be the property of the Foundation.

**(b) Assumption of Trust obligations**

Any obligations of the Trust relating to the Memorial that have been approved by the Trust before the date on which the property is transferred under subsection (a) shall become the responsibility of the Foundation on the date of the transfer.

**(c) Dissolution of Trust**

Not later than 30 days after the transfer under subsection (a) is completed—

- (1) the Trust shall be dissolved; and
- (2) the Trust shall notify the Secretary of the date of dissolution.

**(d) Authority to enter into agreements**

The Secretary, acting through the National Park Service, is authorized to enter into 1 or more cooperative agreements with the Foundation for the National Park Service to provide interpretive services related to the Memorial and such other assistance as may be agreed upon between the Secretary and the Foundation. The costs of the services and other agreed assistance shall be paid by the Secretary.

**(e) General Services Administration authority**

The Administrator of General Services shall provide, on a non-reimbursable basis, services necessary for the facilitation of the transfer of the Memorial to the Foundation.

**(f) Limitation**

Nothing in sections 450ss to 450ss-7 of this title shall prohibit the use of State and local law enforcement for the purposes of security related to the Memorial.

(Pub. L. 105-58, §5, Oct. 9, 1997, 111 Stat. 1262; Pub. L. 108-199, div. F, title V, §544(d), Jan. 23, 2004, 118 Stat. 347.)

AMENDMENTS

2004—Pub. L. 108-199 amended section generally. Prior to amendment, section provided for establishment of the Oklahoma City National Memorial Trust, its Board of Directors, staff, powers, and tax exempt status.

AUTHORIZATION OF SECRETARY TO REIMBURSE PREVIOUS COSTS PAID BY FOUNDATION OR TRUST

Pub. L. 108-199, div. F, title V, §544(g), Jan. 23, 2004, 118 Stat. 348, provided that: “To the extent that funds are made available for the Trust, the Secretary of the Interior shall reimburse the Oklahoma City National Memorial Foundation for funds obligated or expended by the Oklahoma City National Memorial Foundation or the Oklahoma City National Memorial Trust to the Secretary of the Interior for interpretive services, security, and other costs and services related to the Oklahoma City National Memorial before the date of the enactment of this Act [Jan. 23, 2004]. The Oklahoma City National Memorial Foundation may use such reimbursed funds for the operation, maintenance, and permanent endowment of the Oklahoma City National Memorial.”

**§ 450ss-4. Repealed. Pub. L. 108-199, div. F, title V, § 544(e)(1), Jan. 23, 2004, 118 Stat. 348**

Section, Pub. L. 105-58, §6, Oct. 9, 1997, 111 Stat. 1264, provided for duties and authorities of Oklahoma City National Memorial Trust.

EFFECTIVE DATE OF REPEAL

Pub. L. 108-199, div. F, title V, §544(e)(2), Jan. 23, 2004, 118 Stat. 348, provided that: “The repeal under this subsection [repealing this section] shall take effect upon the transfer of the Memorial property, rights, authorities, and duties pursuant to the amendments made by subsection (d) [amending section 450ss-3 of this title].”

**§ 450ss-5. Limitations on funding**

Authorization of Appropriations:<sup>1</sup>

**(1) In general**

In furtherance of the purposes of sections 450ss to 450ss-7 of this title, there is hereby authorized the sum of \$5,000,000 for an endowment fund subject to paragraph (2), to remain available until expended.

**(2) Matching requirement**

Amounts appropriated in any fiscal year to carry out the provisions of sections 450ss to 450ss-7 may only be expended on a matching basis in a ratio of at least one non-Federal dollar to every Federal dollar. For the purposes of this provision, each non-Federal dollar donated to the Foundation for the creation, maintenance, operation, or endowment of the Memorial shall satisfy the matching dollar requirement without regard to the fiscal year in which such donation is made.

(Pub. L. 105-58, §7, Oct. 9, 1997, 111 Stat. 1266; Pub. L. 108-199, div. F, title V, §544(f), Jan. 23, 2004, 118 Stat. 348.)

AMENDMENTS

2004—Par. (1). Pub. L. 108-199, §544(f)(1), inserted “for an endowment fund subject to paragraph (2)” after “the sum of \$5,000,000”.

Par. (2). Pub. L. 108-199, §544(f)(2), struck out “Trust or to the Oklahoma City Memorial” after “each non-Federal dollar donated to the” and substituted “operation, or endowment” for “or operation”.

**§§ 450ss-6, 450ss-7. Repealed. Pub. L. 108-199, div. F, title V, §544(h), (i), Jan. 23, 2004, 118 Stat. 349**

Section 450ss-6, Pub. L. 105-58, §8, Oct. 9, 1997, 111 Stat. 1266, provided for disposal of site of Alfred P. Murrah Federal Building to the Trust.

<sup>1</sup> So in original. “Appropriations” probably should not be capitalized.