AMENDMENT TO RULES COMMITTEE

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OFFERED BY MR. VELA OF TEXAS

At the end of title LX of division E, insert the following:

SEC. 6013. MARINE CORPS HERITAGE CENTER AND NATIONAL MUSEUM OF THE MARINE CORPS.

(a) Amendment Granting Certain Authority.—Chapter 861 of part IV of subtitle C of title 10, United States Code, is amended by adding at the end the following new section:

“SEC. 8636. AUTHORITY TO DEVELOP, MAINTAIN, AND OPERATE THE MARINE CORPS HERITAGE CENTER AND THE NATIONAL MUSEUM OF THE MARINE CORPS AT MARINE CORPS BASE, QUANTICO, VIRGINIA.

“(a) Authority to Enter Into Joint Venture.—The Secretary of the Navy may enter into a joint venture with the Marine Corps Heritage Foundation for the design and construction, and the continued maintenance and operation of a multipurpose facility to be used for historical displays for public viewing, curation and storage of artifacts, research facilities, classrooms, offices,
and associated activities consistent with the mission of the
Marine Corps University. The facility shall be known as
the Marine Corps Heritage Center and the National Mu-
seum of the Marine Corps.

“(b) DESIGN AND CONSTRUCTION.—For each phase
of development of the facility described in subsection (a),
the Secretary may—

“(1) permit the Marine Corps Heritage Foun-
dation to contract for the design, construction, or
both, of such phase of development; or

“(2) accept funds from the Marine Corps Herit-
age Foundation for the design, construction, or both,
of such phase of development.

“(c) ACCEPTANCE AUTHORITY.—Upon completion of
construction of any phase of development of the facility
described in subsection (a) by the Marine Corps Heritage
Foundation to the satisfaction of the Secretary, and the
satisfaction of any financial obligations incident thereto by
the Marine Corps Heritage Foundation, the facility shall
become the property of the Department of the Navy with
all right, title, and interest in and to facility being in the
United States.

“(d) MAINTENANCE, OPERATION, AND SUPPORT.—
For purposes of continued maintenance and operation of
the Marine Corps Heritage Center, the Secretary may carry out the following:

“(1) Enter contracts and cooperative agreements, on a sole-source basis, with the Marine Corps Heritage Foundation, for the procurement of property or services for the direct benefit or use of the Marine Corps Heritage Center.

“(2) Enter into a lease under section 2667 of this title, notwithstanding the requirements of subsection 2667(h) and under such terms and conditions as the Secretary considers appropriate for the joint venture authorized by subsection (a), portions of the facility developed under that subsection to the Marine Corps Heritage Foundation for use in generating revenue for activities of the facility and for such administrative purposes as may be necessary for support of the facility. In making a determination of fair market value under section 2667(b)(4), the Secretary is authorized to consider the entirety of the Marine Corps Heritage Foundation’s educational efforts, support to the Marine Corps Heritage Center History Division, funding of museum programs and exhibits, or other related activities, in addition to the types of in-kind consideration provided under section 2667(e) of this title.
“(3) The Secretary may allow the Marine Corps Heritage Foundation to use other real or personal property within the Marine Corps Heritage Center and National Museum of the Marine Corps to conduct additional revenue-generating activities, as the Secretary deems reasonable, in light of the Marine Corps Heritage Foundation’s work and needs of the Marine Corps Heritage Center and National Museum of the Marine Corps. Such activities shall be on a noninterference basis with military activities, or the activities of the Marine Corps Heritage Center and National Museum of the Marine Corps.

“(4) Notwithstanding any other provision of law, funds received under this section may be retained for use in support of the Marine Corps Heritage Center and the National Museum of the Marine Corps, or related activities that achieve the purpose of this section, and shall remain available until expended. Any interest on funds received under this section shall be retained and used for support of the Marine Corps Heritage Center and the National Museum of the Marine Corps.

“(e) USE OF CERTAIN GIFTS.—

“(1) IN GENERAL.—Under regulations prescribed by the Secretary of the Navy, the Com-
mandant of the Marine Corps may, without regard to section 2601 of this title, accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property of a value of $250,000 or less made to the United States if such gift, devise, or bequest is for the benefit of the Marine Corps Heritage Center or the National Museum of the Marine Corps.

“(2) PAYMENT AUTHORIZED.—The Secretary may pay or authorize the payment of any reasonable and necessary expense in connection with the conveyance or transfer of a gift, devise, or bequest under this subsection.

“(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the joint venture authorized under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.”.

(b) REPEAL.—Section 2884 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) is repealed.