

115TH CONGRESS
1ST SESSION

S. 62

To authorize the Secretary of the Interior to establish the January 8th National Memorial in Tucson, Arizona, as an affiliated area of the National Park System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 2017

Mr. FLAKE (for himself and Mr. MCCAIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the Secretary of the Interior to establish the January 8th National Memorial in Tucson, Arizona, as an affiliated area of the National Park System, 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. SHORT TITLE.**

4 This Act may be cited as the “January 8th National
5 Memorial Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The tragedy of January 8, 2011, at Con-
2 gresswoman Gabrielle Gifford’s “Congress on Your
3 Corner” event resulted in the deaths of 6 people
4 (Christina-Taylor Green, Dorothy Morris, U.S. Dis-
5 trict Court Judge John Roll, Phyllis Schneck,
6 Dorwan Stoddard, and Gabe Zimmerman) and in-
7 jury of 13 others (Congresswoman Giffords, Bill
8 Badger, Ron Barber, Kenneth Dorushka, James
9 Eric Fuller, Randy Gardner, Susan Hileman, George
10 Morris, Mary Reed, Pam Simon, Mavanell Stoddard,
11 Jim Tucker, and Kenneth Veeder).

12 (2) This was the first time in the history of the
13 United States that an assassination attempt was
14 made upon a Congressional Member while she was
15 meeting with constituents.

16 (3) Congresswoman Giffords sustained severe
17 injuries that affect her to this day.

18 (4) Gabe Zimmerman was the first Congres-
19 sional staffer to be assassinated in the line of duty.

20 (5) The Arizona community and people from all
21 over the world came together in the days that fol-
22 lowed the tragedy to provide comfort and support to
23 one another at three spontaneous memorial vigil
24 sites—

1 (A) the shopping center where the shooting
2 took place;

3 (B) the front lawn of University Medical
4 Center, where many of the victims were treated;
5 and

6 (C) at Congresswoman Giffords' Tucson
7 district office.

8 (6) Tucson's January 8th Memorial will not
9 only be a tribute to those who died that day, but
10 also to the local, national, and international response
11 to the tragedy.

12 (7) The memorial will be constructed, managed,
13 and maintained to be a place where visitors, young
14 and old, can learn not only about one horrific event,
15 but about the resilience of a community and the du-
16 rability of democracy in the United States.

17 **SEC. 3. JANUARY 8th NATIONAL MEMORIAL.**

18 (a) DEFINITIONS.—

19 (1) MEMORIAL.—The term “Memorial” means
20 the January 8th National Memorial.

21 (2) FOUNDATION.—The term “Foundation”
22 means the Tucson's January 8th Memorial Founda-
23 tion, an organization described in section 501(c)(3)
24 of the Internal Revenue Code of 1986 and exempt
25 from taxation under section 501(a) of that Code.

1 (3) MAP.—The term “map” means the map en-
2 titled “January 8 Memorial Site Map”, numbered
3 JAN8M 001, and dated January 2016.

4 (4) SECRETARY.—The term “Secretary” means
5 the Secretary of the Interior.

6 (b) JANUARY 8th NATIONAL MEMORIAL.—

7 (1) ESTABLISHMENT.—As soon as practicable
8 after the Secretary determines that the Foundation
9 has complied with paragraph (2), the Secretary shall
10 establish the Memorial as an affiliated area of the
11 National Park System.

12 (2) TRUST FUND.—The Memorial shall not be
13 established before the date on which the Secretary
14 certifies in a written report submitted to the Com-
15 mittee on Natural Resources of the House of Rep-
16 resentatives and the Committee on Energy and Nat-
17 ural Resources of the Senate that the Foundation
18 has established a trust fund for the purposes of—

19 (A) receiving donations submitted to the
20 Foundation; and

21 (B) providing for the construction, oper-
22 ation, maintenance, and management of the
23 Memorial.

1 (3) DESCRIPTION.—The Memorial shall consist
2 of the area generally depicted as the “Memorial
3 Boundary” on the map.

4 (4) MANAGEMENT ENTITY.—The Foundation
5 shall—

6 (A) be the management entity for the Me-
7 morial; and

8 (B) be responsible for the construction, op-
9 eration, maintenance, and management of the
10 Memorial.

11 (5) ADMINISTRATION.—The Memorial shall
12 cease to be an affiliated area of the National Park
13 System if the Foundation—

14 (A) fails to manage the Memorial in ac-
15 cordance with this Act and all laws generally
16 applicable to units of the National Park Sys-
17 tem; or

18 (B) ceases to maintain the trust fund re-
19 quired to be established under paragraph (2).

20 (6) AVAILABILITY OF MAP.—The map shall be
21 on file and available for public inspection at the ap-
22 propriate offices of the National Park Service.

23 (7) COOPERATIVE AGREEMENTS.—The Sec-
24 retary may provide technical assistance and enter
25 into cooperative agreements with the Foundation for

1 the purpose of providing financial assistance with
2 marketing of the Memorial.

3 (8) LIMITED ROLE OF THE SECRETARY.—Noth-
4 ing in this Act authorizes the Secretary to acquire
5 property or to use Federal funds for the construc-
6 tion, operation, maintenance, or management of the
7 Memorial.

8 (9) GENERAL MANAGEMENT PLAN.—

9 (A) IN GENERAL.—The Secretary, in con-
10 sultation with the Foundation, shall develop a
11 general management plan for the Memorial.
12 The plan shall be prepared in accordance with
13 section 100502 of title 54, United States Code.

14 (B) TRANSMITTAL.—Not later than 3
15 years after the date that funds are first made
16 available for this Act or the Memorial is estab-
17 lished by the Secretary, whichever date is later,
18 the Secretary shall provide a copy of the com-
19 pleted general management plan to the Com-
20 mittee on Natural Resources of the House of
21 Representatives and the Committee on Energy
22 and Natural Resources of the Senate.

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