

## Calendar No. 890

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 2919****[Report No. 106-445]**

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IN THE SENATE OF THE UNITED STATES

JULY 26, 2000

Received; read twice and referred to the Committee on Energy and Natural  
Resources

SEPTEMBER 29, 2000

Reported under authority of the order of the Senate of SEPTEMBER 28 (legis-  
lative day, SEPTEMBER 22), 2000, by Mr. MURKOWSKI, without amend-  
ment

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**AN ACT**

To promote preservation and public awareness of the history  
of the Underground Railroad by providing financial as-  
sistance, to the Freedom Center in Cincinnati, Ohio.

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 “National Underground  
5 Railroad Freedom Center Act”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds that—

3 (1) the National Underground Railroad Free-  
4 dom Center (hereinafter “Freedom Center”) is a  
5 nonprofit organization incorporated under the laws  
6 of the State of Ohio in 1995;

7 (2) the objectives of the Freedom Center are to  
8 interpret the history of the Underground Railroad  
9 through development of a national cultural institu-  
10 tion in Cincinnati, Ohio, that will house an interpre-  
11 tive center, including museum, educational, and re-  
12 search facilities, all dedicated to communicating to  
13 the public the importance of the quest for human  
14 freedom which provided the foundation for the his-  
15 toric and inspiring story of the Underground Rail-  
16 road;

17 (3) the City of Cincinnati has granted exclusive  
18 development rights for a prime riverfront location to  
19 the Freedom Center;

20 (4) the Freedom Center will be a national cen-  
21 ter linked through state-of-the-art technology to Un-  
22 derground Railroad sites and facilities throughout  
23 the United States and to a constituency that reaches  
24 across the United States, Canada, Mexico, the Car-  
25ibbean and beyond; and

1           (5) the Freedom Center has reached an agree-  
2           ment with the National Park Service to pursue a  
3           range of historical and educational cooperative ac-  
4           tivities related to the Underground Railroad, includ-  
5           ing but not limited to assisting the National Park  
6           Service in the implementation of the National Un-  
7           derground Railroad Network to Freedom Act.

8           (b) PURPOSES.—The purposes of this Act are—

9           (1) to promote preservation and public aware-  
10          ness of the history of the Underground Railroad;

11          (2) to assist the Freedom Center in the develop-  
12          ment of its programs and facilities in Cincinnati,  
13          Ohio; and

14          (3) to assist the National Park Service in the  
15          implementation of the National Underground Rail-  
16          road Network to Freedom Act (112 Stat. 679; 16  
17          U.S.C. 4691 and following).

18 **SEC. 3. DEFINITIONS.**

19          In this Act:

20          (1) SECRETARY.—The term “Secretary” means  
21          the Secretary of the Interior.

22          (2) PROJECT BUDGET.—The term “project  
23          budget” means the total amount of funds expended  
24          by the Freedom Center on construction of its facil-  
25          ity, development of its programs and exhibits, re-

1 search, collection of informative and educational ac-  
2 tivities related to the history of the Underground  
3 Railroad, and any administrative activities necessary  
4 to the operation of the Freedom Center, prior to the  
5 opening of the Freedom Center facility in Cin-  
6 cinnati, Ohio.

7 (3) FEDERAL SHARE.—The term “Federal  
8 share” means an amount not to exceed 20 percent  
9 of the project budget and shall include all amounts  
10 received from the Federal Government under this  
11 legislation and any other Federal programs.

12 (4) NON-FEDERAL SHARE.—The term “non-  
13 Federal share” means all amounts obtained by the  
14 Freedom Center for the implementation of its facili-  
15 ties and programs from any source other than the  
16 Federal Government, and shall not be less than 80  
17 percent of the project budget.

18 (5) THE FREEDOM CENTER FACILITY.—The  
19 term “the Freedom Center facility” means the facil-  
20 ity, including the building and surrounding site,  
21 which will house the museum and research institute  
22 to be constructed and developed in Cincinnati, Ohio,  
23 on the site described in section 4(c).

1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) PROGRAM AUTHORIZED.—From sums appro-  
3 priated pursuant to the authority of subsection (d) in any  
4 fiscal year, the Secretary is authorized and directed to pro-  
5 vide financial assistance to the Freedom Center, in order  
6 to pay the Federal share of the cost of authorized activities  
7 described in section 5.

8 (b) EXPENDITURE ON NON-FEDERAL PROPERTY.—  
9 The Secretary is authorized to expend appropriated funds  
10 under subsection (a) of this section to assist in the con-  
11 struction of the Freedom Center facility and the develop-  
12 ment of programs and exhibits for that facility which will  
13 be funded primarily through private and non-Federal  
14 funds, on property owned by the City of Cincinnati, Ham-  
15 ilton County, and the State of Ohio.

16 (c) DESCRIPTION OF THE FREEDOM CENTER FACIL-  
17 ITY SITE.—The facility referred to in subsections (a) and  
18 (b) will be located on a site described as follows: a 2-block  
19 area south of new South Second, west of Walnut Street,  
20 north of relocated Theodore M. Berry Way, and east of  
21 Vine Street in Cincinnati, Ohio.

22 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
23 are authorized to be appropriated \$16,000,000 for the 4  
24 fiscal year period beginning October 1, 1999. Funds not  
25 to exceed that total amount may be appropriated in one  
26 or more of such fiscal years. Funds shall not be disbursed

1 until the Freedom Center has commitments for a min-  
2 imum of 50 percent of the non-Federal share.

3 (e) AVAILABILITY OF FUNDS.—Notwithstanding any  
4 other provision of law, funds appropriated to carry out the  
5 provisions of this Act shall remain available for obligation  
6 and expenditure until the end of the fiscal year succeeding  
7 the fiscal year for which the funds were appropriated.

8 (f) OTHER PROVISIONS.—Any grant made under this  
9 Act shall provide that—

10 (1) no change or alteration may be made in the  
11 Freedom Center facility except with the agreement  
12 of the property owner and the Secretary;

13 (2) the Secretary shall have the right of access  
14 at reasonable times to the public portions of the  
15 Freedom Center facility for interpretive and other  
16 purposes; and

17 (3) conversion, use, or disposal of the Freedom  
18 Center facility for purposes contrary to the purposes  
19 of this Act, as determined by the Secretary, shall re-  
20 sult in a right of the United States to compensation  
21 equal to the greater of—

22 (A) all Federal funds made available to the  
23 grantee under this Act; or

24 (B) the proportion of the increased value  
25 of the Freedom Center facility attributable to

1           such funds, as determined at the time of such  
2           conversion, use, or disposal.

3 **SEC. 5. AUTHORIZED ACTIVITIES.**

4           (a) IN GENERAL.—The Freedom Center may engage  
5 in any activity related to its objectives addressed in section  
6 2(a), including, but not limited to, construction of the  
7 Freedom Center facility, development of programs and ex-  
8 hibits related to the history of the Underground Railroad,  
9 research, collection of information and artifacts and edu-  
10 cational activities related to the history of the Under-  
11 ground Railroad, and any administrative activities nec-  
12 essary to the operation of the Freedom Center.

13           (b) PRIORITIES.—The Freedom Center shall give pri-  
14 ority to—

15           (1) construction of the Freedom Center facility;

16           (2) development of programs and exhibits to be  
17 presented in or from the Freedom Center facility;  
18 and

19           (3) providing assistance to the National Park  
20 Service in the implementation of the National Un-  
21 derground Railroad Network to Freedom Act (16  
22 U.S.C. 469l).

23 **SEC. 6. APPLICATION.**

24           (a) IN GENERAL.—The Freedom Center shall submit  
25 an application to the Secretary at such time, in such man-

1 ner, and containing or accompanied by such information  
2 as the Secretary may reasonably require. Each application  
3 shall—

4 (1) describe the activities for which assistance  
5 is sought;

6 (2) provide assurances that the non-Federal  
7 share of the cost of activities of the Freedom Center  
8 shall be paid from non-Federal sources, together  
9 with an accounting of costs expended by the Free-  
10 dom Center to date, a budget of costs to be incurred  
11 prior to the opening of the Freedom Center facility,  
12 an accounting of funds raised to date, both Federal  
13 and non-Federal, and a projection of funds to be  
14 raised through the completion of the Freedom Cen-  
15 ter facility.

16 (b) APPROVAL.—The Secretary shall approve the ap-  
17 plication submitted pursuant to subsection (a) unless such  
18 application fails to comply with the provisions of this Act.

19 **SEC. 7. REPORTS.**

20 The Freedom Center shall submit an annual report  
21 to the appropriate committees of the Congress not later  
22 than January 31, 2000, and each succeeding year there-  
23 after for any fiscal year in which Federal funds are ex-  
24 pended pursuant to this Act. The report shall—



1           (1) include a financial statement addressing the  
2           Freedom Center’s costs incurred to date and pro-  
3           jected costs, and funds raised to date and projected  
4           fundraising goals;

5           (2) include a comprehensive and detailed de-  
6           scription of the Freedom Center’s activities for the  
7           preceding and succeeding fiscal years; and

8           (3) include a description of the activities taken  
9           to assure compliance with this Act.

10 **SEC. 8. AMENDMENT TO THE NATIONAL UNDERGROUND**  
11 **RAILROAD NETWORK TO FREEDOM ACT OF**  
12 **1998.**

13           The National Underground Railroad Network to  
14 Freedom Act of 1998 (112 Stat. 679; 16 U.S.C. 469l and  
15 following) is amended by adding at the end the following:

16 **“SEC. 4. PRESERVATION OF HISTORIC SITES OR STRUC-**  
17 **TURES.**

18           “(a) **AUTHORITY TO MAKE GRANTS.**—The Secretary  
19 of the Interior may make grants in accordance with this  
20 section for the preservation and restoration of historic  
21 buildings or structures associated with the Underground  
22 Railroad, and for related research and documentation to  
23 sites, programs, or facilities that have been included in  
24 the national network.

1       “(b) GRANT CONDITIONS.—Any grant made under  
2 this section shall provide that—

3               “(1) no change or alteration may be made in  
4 property for which the grant is used except with the  
5 agreement of the property owner and the Secretary;

6               “(2) the Secretary shall have the right of access  
7 at reasonable times to the public portions of such  
8 property for interpretive and other purposes; and

9               “(3) conversion, use, or disposal of such prop-  
10 erty for purposes contrary to the purposes of this  
11 Act, as determined by the Secretary, shall result in  
12 a right of the United States to compensation equal  
13 to all Federal funds made available to the grantee  
14 under this Act.

15       “(c) MATCHING REQUIREMENT.—The Secretary may  
16 obligate funds made available for a grant under this sec-  
17 tion only if the grantee agrees to match, from funds de-  
18 rived from non-Federal sources, the amount of the grant  
19 with an amount that is equal to or greater than the grant.  
20 The Secretary may waive the requirement of the preceding  
21 sentence with respect to a grant if the Secretary deter-  
22 mines that an extreme emergency exists or that such a  
23 waiver is in the public interest to assure the preservation  
24 of historically significant resources.

1       “(d) FUNDING.—There are authorized to be appro-  
2       priated to the Secretary for purposes of this section  
3       \$2,500,000 for fiscal year 2001 and each subsequent fiscal  
4       year. Amounts authorized but not appropriated in a fiscal  
5       year shall be available for appropriation in subsequent fis-  
6       cal years.”.

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