To establish a commission to assist in commemoration of the centennial of powered flight and the achievements of the Wright brothers.

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IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1997

Mr. Hall of Ohio (for himself and Mr. Jones) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

A BILL

To establish a commission to assist in commemoration of the centennial of powered flight and the achievements of the Wright brothers.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Centennial of Flight Commemoration Act”.

4 SEC. 2. FINDINGS.

5 The Congress finds that—

6 (1) December 17, 2003, is the 100th anniversary of the first successful manned, free, controlled,
and sustained flight by a power-driven, heavier-than-
air machine;

(2) the first flight by Orville and Wilbur Wright
represents the fulfillment of the age-old dream of
flying;

(3) the airplane has dramatically changed the
course of transportation, commerce, communication,
and warfare throughout the world;

(4) the achievement by the Wright brothers
stands as a triumph of American ingenuity, inven-
tiveness, and diligence in developing new tech-

(5) it is appropriate to remember and renew the
legacy of the Wright brothers at a time when the
values of creativity and daring represented by the
Wright brothers are critical to the future of the Na-
tion; and

(6) as the Nation approaches the 100th anni-
versary of powered flight, it is appropriate to cele-
brate and commemorate the centennial year through
local, national, and international observances and ac-
tivities.
SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the Centennial of Flight Commission.

SEC. 4. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 21 members, as follows:

(A) The Secretary of the Interior, or a designee.

(B) The Director of the National Air and Space Museum, or a designee.

(C) The Secretary of Defense, or a designee.

(D) The Secretary of Transportation, or a designee.

(E) The Administrator of the National Aeronautics and Space Administration, or a designee.

(F) Two representatives from the State of North Carolina, including—

(i) the chairman of the First Flight Centennial Commission, or a designee; and

(ii) the president of the First Flight Centennial Foundation, or a designee.

(G) Two representatives from the State of Ohio, including—
(i) the Governor, or a designee; and

(ii) the chairman of the 2003 Committee, or a designee.

(H) Twelve citizens of the United States, appointed by the President, who are not officers or employees of any government, except to the extent that they are considered to be such officers or employees by virtue of their membership on the Commission.

(2) APPOINTMENTS BY PRESIDENT.—Of the individuals referred to in paragraph (1)(H)—

(A) two shall be chosen from among persons recommended by the majority leader of the Senate in consultation with the minority leader of the Senate;

(B) two shall be chosen from among persons recommended by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives.

Of the individuals referred to in this subparagraph, one shall be chosen from among individuals recommended by the Representative whose district encompasses the Wright Brothers National Memorial, and one shall be chosen from among individuals recommended by the Rep-
resentatives whose districts encompass any part of the Dayton Aviation Heritage National Historical Park; and

(C) eight shall be chosen based on qualifications or experience in the field of history, aerospace science or industry, or any other profession that would enhance the work of the Commission and assist in commemorating the accomplishments of the Wright brothers.

(b) Time of Appointment.—Each member of the Commission shall be appointed not later than 90 days after the date of the enactment of this Act.

(e) Terms.—Each member of the Commission shall be appointed for the life of the Commission except for those designees serving at the pleasure of a public officeholder, whose terms shall expire contemporaneously with the terms of the public official being represented.

(d) Vacancies.—Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(e) Compensation.—

(1) Prohibition of Pay.—Except as provided in paragraph (2), members of the Commission shall serve without pay.
(2) TRAVEL EXPENSES.—Each member of the Commission may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code, except that those members who are Federal employees shall not receive travel expenses if otherwise reimbursed by the Federal Government.

(f) QUORUM.—Eleven members of the Commission shall constitute a quorum.

(g) CHAIRPERSON.—The President shall designate one of the individuals appointed under subsection (a)(1)(H) as the chairperson of the Commission.

(h) MEETINGS.—The Commission shall meet at the call of its chairperson or a majority of its members.

SEC. 5. DUTIES.

(a) IN GENERAL.—The Commission shall—

(1) represent the United States and take a leadership role with other countries in recognizing the importance of aviation history in general and the centennial of powered flight in particular, and promote participation by the United States in such activities;

(2) encourage and promote national and international participation and sponsorships in com-
memoration of the centennial of powered flight by persons and entities such as—

(A) aerospace manufacturing companies;

(B) aerospace-related military organizations;

(C) workers employed in aerospace-related industries;

(D) commercial aviation companies;

(E) general aviation owners and pilots;

(F) aerospace researchers, instructors, and enthusiasts;

(G) elementary, secondary, and higher educational institutions;

(H) civil, patriotic, educational, sporting, arts, cultural, and historical organizations and technical societies;

(I) aerospace-related museums; and

(J) State and local governments;

(3) plan and develop, in coordination with the First Flight Centennial Commission, the First Flight Centennial Foundation of North Carolina, and the 2003 Committee of Ohio, programs and activities that are appropriate to commemorate the 100th anniversary of powered flight;
(4) maintain, publish, and distribute a calendar or register of national and international programs and projects concerning, and provide a central clearinghouse for information and coordination regarding, dates, events, and places of historical and commemorative significance regarding aviation history in general and the centennial of powered flight in particular;

(5) provide national coordination for celebration dates to take place throughout the United States during the centennial year;

(6) assist in conducting educational, civic, and commemorative activities relating to the centennial of powered flight throughout the United States, especially activities that occur in the States of North Carolina and Ohio and that highlight the activities of the Wright brothers in such States; and

(7) plan, develop, and coordinate any other activities that the Commission determines, subject to the approval of the First Flight Centennial Commission, the First Flight Centennial Foundation of North Carolina, and the 2003 Committee of Ohio, to be appropriate relating to the anniversary of the centennial of powered flight, which may include the preparation, distribution, dissemination, exhibition,
or sale of historical, commemorative, or informative
materials or objects, that will contribute to public
awareness of and interest in the centennial of pow-
ered flight.

(b) NONDUPlication OF ACTIVITIES.—The Com-
mission shall attempt to plan and conduct its activities
in such a manner that activities conducted pursuant to
this Act enhance, but do not duplicate, traditional and es-
tablished activities of Ohio’s 2003 Committee, North
Carolina’s First Flight Centennial Commission, and the
First Flight Centennial Foundation, except with the con-
sent of such entities.

SEC. 6. POWERS.

(a) ADVISORY COMMITTEES AND TASK FORCES.—

(1) IN GENERAL.—The Commission may ap-
point any advisory committee or task force that it
determines to be necessary to carry out this Act.

(2) FEDERAL Cooperation.—To ensure the
overall success of the Commission’s efforts, the Com-
mission may call upon various Federal departments
and agencies to assist in and give support to pro-
grams of the Commission. Where appropriate, all
Federal departments and agencies shall provide any
assistance possible.
(3) Prohibition of pay other than travel expenses.—Members of an advisory committee or task force authorized by paragraph (1) shall not receive pay, but may receive travel expenses to the same extent that members of the Commission may receive travel expenses under section 4(e).

(b) Powers of Members and Agents.—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this Act.

(c) Authority To Procure and To Make Legal Agreements.—

(1) In general.—The Commission may procure supplies, services, and property, and make or enter into leases and other legal agreements in order to carry out this Act.

(2) Restriction.—A contract, lease, or other legal agreement made or entered into by the Commission may not extend beyond the date of the termination of the Commission.

(3) Supplies and property possessed by Commission at termination.—Any supplies and property, except historically significant items, that are acquired by the Commission under this Act and remain in the possession of the Commission on the
date of the termination of the Commission shall be-

come the property of the General Services Adminis-

tration upon the date of the termination.

(d) Requests for Official Information.—The Com-

mission may request from any Federal department or

agency information necessary to enable the Commission

to carry out this Act. The head of the Federal department

or agency shall furnish the information to the Commission

unless the release of the information by the department

or agency to the public is prohibited by law.

(e) Mails.—The Commission may use the United

States mails in the same manner and under the same con-
ditions as any other Federal agency.

SEC. 7. STAFF AND SUPPORT SERVICES.

(a) Executive Director.—The chairperson of the

Commission, with the advice of the Commission, shall ap-

point an executive director of the Commission. The execu-
tive director may be paid at a rate not to exceed the maxi-

mum rate of basic pay payable for the Senior Executive

Service.

(b) Staff.—The Commission may appoint and fix

the pay of any additional personnel that it considers ap-

propriate, except that an individual appointed under this

subsection may not receive pay in excess of the maximum
The rate of basic pay payable for GS–14 of the General Schedule.

(c) Inapplicability of Certain Civil Service Laws.—The executive director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except as provided in subsections (a) and (b) of this section.

(d) Staff of Federal Agencies.—Upon request by the chairperson of the Commission, the head of any Federal department or agency may detail, on a non-reimbursable basis, any of the personnel of the department or agency to the Commission to assist the Commission to carry out its duties under this Act.

(e) Experts and Consultants.—The chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at a rate that does not exceed the daily equivalent of the annual rate of basic pay payable under level V of the Executive Schedule under section 5316 of such title.
(f) **Administrative Support Services.**—The Administrator of General Services shall provide to the Commission, on a reimbursable basis, any administrative support services that are necessary to enable the Commission to carry out this Act.

**SEC. 8. CONTRIBUTIONS.**

(a) **Donations.**—

(1) **In General.**—The Commission may accept donations of money, personal service, and historic materials relating to the Wright brothers or the history of aviation.

(2) **Donated Funds and Sales.**—Any funds donated to the Commission or revenues from direct sales shall be used by the Commission to carry out this Act. Funds donated to and accepted by the Commission pursuant to this section shall not be considered to be appropriated funds and shall not be subject to any requirements or restrictions applicable to appropriated funds.

(3) **Fundraising.**—Any fundraising undertaken by the Commission shall be done in coordination with fundraising undertaken at the State level, and with the prior approval of the First Flight Centennial Commission, the First Flight Centennial
Foundation of North Carolina, and the 2003 Committee of Ohio.

(b) **Volunteer Services.**—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(c) **Remaining Funds.**—Any donated funds remaining to the Commission on the date of the termination of the Commission may be used to ensure proper disposition, as specified in the final report required by section 10(b), of historically significant property which was donated to or acquired by the Commission. Any donated funds remaining after such disposition shall be transferred to the Secretary of the Treasury for deposit into the general fund of the Treasury of the United States.

**SEC. 9. EXCLUSIVE RIGHT TO NAME, LOGOS, EMBLEMS, SEALS, AND MARKS.**

(a) **In General.**—The Commission may devise any logo, emblem, seal, or descriptive or designating mark that is required to carry out its duties or that it determines is appropriate for use in connection with the commemoration of the centennial of powered flight.

(b) **Licensing.**—The Commission shall have the sole and exclusive right to use, or to allow or refuse the use of, the name “Centennial of Flight Commission” on any
logo, emblem, seal, or descriptive or designating mark that
the Commission lawfully adopts.

(1) Licensing royalties shall be used first to off-
set operating costs of the Commission.

(2) Any royalties remaining above and beyond
the operating costs of the Commission shall be dis-
tributed equally to the First Flight Centennial
Foundation of North Carolina and the 2003 Com-
mittee of Ohio to offset costs associated with the
celebration of the centennial of powered flight.

(c) EFFECT ON OTHER RIGHTS.—No provision of
this section may be construed to conflict or interfere with
established or vested rights.

SEC. 10. REPORTS.

(a) ANNUAL REPORT.—In each fiscal year in which
the Commission is in existence, the Commission shall pre-
pare and submit to the Congress a report describing the
activities of the Commission during the fiscal year. Each
annual report should also include—

(1) recommendations regarding appropriate ac-
tivities to commemorate the centennial of powered
flight, including—

(A) the production, publication, and dis-
tribution of books, pamphlets, films, and other
educational materials;
(B) bibliographical and documentary projects and publications;

(C) conferences, convocations, lectures, seminars, and other similar programs;

(D) the development of exhibits for libraries, museums, and other appropriate institutions;

(E) ceremonies and celebrations commemorating specific events that relate to the history of aviation;

(F) programs focusing on the history of aviation and its benefits to the United States and humankind; and

(G) competitions, commissions, and awards regarding historical, scholarly, artistic, literary, musical, and other works, programs, and projects related to the centennial of powered flight;

(2) recommendations to appropriate agencies or advisory bodies regarding the issuance of commemorative coins, medals, and stamps by the United States relating to aviation or the centennial of powered flight;

(3) recommendations for any legislation or administrative action that the Commission determines
to be appropriate regarding the commemoration of
the centennial of powered flight; and

(4) an accounting of funds received and ex-
pended by the Commission in the fiscal year that the
report concerns, including a detailed description of
the source and amount of any funds donated to the
Commission in the fiscal year.

(b) Final Report.—Not later than June 30, 2004,
the Commission shall submit to the President and the
Congress a final report. The final report shall contain—

(1) a summary of the activities of the Commis-
sion;

(2) a final accounting of funds received and ex-
pended by the Commission;

(3) any findings and conclusions of the Com-
mission; and

(4) specific recommendations concerning the
final disposition of any historically significant items
acquired by the Commission, including items do-
nated to the Commission under section 8(a)(1).

SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.

(a) In General.—The Inspector General of the Gen-
eral Services Administration shall audit the financial
transactions of the Commission, including financial trans-
actions involving donated funds, in accordance with gen-
erally accepted auditing standards. In conducting an audit
pursuant to this section, the Inspector General shall have
access to all books, accounts, financial records, reports,
files, and other papers, items, or property in use by the
Commission, as necessary to facilitate the audit, and shall
be afforded full facilities for verifying the financial trans-
actions of the Commission, including access to any finan-
cial records or securities held for the Commission by de-
positories, fiscal agents, or custodians.

(b) REPORT.—Not later than September 30, 2004,
the Inspector General of the General Services Administra-
tion shall submit to the President and to the Congress
a report detailing the results of any audit of the financial
transactions of the Commission conducted by the Inspec-
tor General.

SEC. 12. DEFINITIONS.

For purposes of this Act:

(1) The term “Commission” means the Centen-
nial of Flight Commission.

(2) The term “First Flight” means the first
four successful manned, free, controlled, and sus-
tained flights by a power-driven, heavier-than-air
machine, which were accomplished by Orville and
Wilbur Wright on December 17, 1903.
(3) The term “centennial of powered flight” means the anniversary year, from December 2002 to December 2003, commemorating the 100-year history of aviation beginning with the First Flight and highlighting the achievements of the Wright brothers in developing the technologies which have led to the development of aviation as it is known today.

SEC. 13. TERMINATION.

The Commission shall terminate not later than 60 days after the submission of the final report required by section 10(b).

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act $250,000 for each of the fiscal years 1998 through 2004.