Public Law 87-883

October 24, 1962
[S. J. Res. 208]

JOINT RESOLUTION

To establish a Commission to develop and execute plans for the celebration of the one hundred and fiftieth anniversary of the Battle of Lake Erie, and for other purposes.

Whereas the one hundred and fiftieth anniversary of the renowned naval Battle of Lake Erie near Put-in-Bay, Ohio, will occur in September 1963;

Whereas the decisive victory of Commodore Oliver Hazard Perry on September 10, 1813, over the British naval forces in Lake Erie had profound results on the conclusion of the War of 1812 and the future of the United States as a nation;

Whereas this victory of the small squadron commanded by Commodore Perry marked the only time in the history of the world that an entire British squadron surrendered to an enemy;

Whereas Commodore Perry's report following this engagement, "We have met the enemy, and they are ours . . . two ships, two brigs, one schooner and one sloop", electrified the young Nation at that time and will ever be remembered in the annals of American history;

Whereas the War of 1812 on the land and sea areas of the United States and Canada introduced these two great English-speaking nations to a period of one hundred and fifty years of permanent peace and mutual respect along an unfortified three-thousand-mile common boundary;

Whereas this struggle resulted in memorializing the principle of international peace by arbitration and disarmament and lasting peace among nations;

Whereas the enduring results of this conflict have cemented more strongly the cultural and economic ties which exist between Canada and the United States as a demonstration of peace and good will in a world today fraught with unrest and fear: Therefore be it

Battle of Lake Erie Sesquicentennial Celebration Commission. Establishment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the "Battle of Lake Erie Sesquicentennial Celebration Commission" (hereinafter referred to as the "Commission") which shall be composed of thirteen members as follows:

Membership.

(1) Four members who shall be Members of the Senate, to be appointed by the President of the Senate (two of whom shall be from the State of Ohio);

(2) Four members who shall be Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives (two of whom shall be from the State of Ohio);

(3) One representative of the Department of the Interior who shall be designated by the Secretary of the Interior and who shall serve as executive officer of the Commission; and

(4) Four members to be appointed by the President of the United States.

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(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. The members of the Commission shall receive no salary.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

Functions.

SEC. 2. The functions of the Commission shall be to develop and to execute suitable plans for the celebration, in 1963, of the one hundred and fiftieth anniversary of the Battle of Lake Erie.

Compensation. 5 USC 1113; *Ante*, p. 843.

SEC. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided, however*, That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

Acceptance of donations, etc.

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with agencies of State and local governments, with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution: *Provided, however*, That all expenditures of the Commission shall be made from donated funds only.

Expenditures.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission.

Report to Congress.

A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within one year following the termination of the celebration as prescribed by this joint resolution. The Commission shall terminate upon submission of its report to the Congress.

Property or revenues, disposal.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

Franked mail.

(d) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to section 4156 of title 39, United States Code, as amended.

74 Stat. 661.

Approved October 24, 1962.