

Union Calendar No. 361

107TH CONGRESS
2^D SESSION

S. 356

[Report No. 107-599]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 5, 2001

Referred to the Committee on Resources

JULY 22, 2002

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To establish a National Commission on the Bicentennial
of the Louisiana Purchase.

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 “Louisiana Purchase
5 Bicentennial Commission Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) the Bicentennial of the Louisiana Purchase
2 occurs in 2003, 200 years after the United States,
3 under the leadership of President Thomas Jefferson
4 and after due consideration and approval by Con-
5 gress, paid \$15,000,000 to France in order to ac-
6 quire the vast area in the western half of the Mis-
7 sissippi River Basin;

8 (2) the Louisiana Purchase was the largest
9 peaceful land transaction in history, virtually dou-
10 bling the size of the United States;

11 (3) the Louisiana Purchase opened the heart-
12 land of the North American continent for explo-
13 ration, settlement, and achievement to the people of
14 the United States;

15 (4) in the wake of the Louisiana Purchase, the
16 new frontier attracted immigrants from around the
17 world and became synonymous with the search for
18 spiritual, economic, and political freedom;

19 (5) today the States of Arkansas, Colorado,
20 Iowa, Kansas, Louisiana, Minnesota, Missouri, Mon-
21 tana, Nebraska, North Dakota, Oklahoma, South
22 Dakota, Texas, and Wyoming make up what was the
23 Louisiana Territory; and

24 (6) commemoration of the Louisiana Purchase
25 and the opening of the West would—

1 (A) enhance public understanding of the
2 impact of westward expansion on the society of
3 the United States; and

4 (B) provide lessons for continued demo-
5 cratic governance in the United States.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) BICENTENNIAL.—The term “Bicentennial”
9 means the 200th anniversary of the Louisiana Pur-
10 chase.

11 (2) COMMISSION.—The term “Commission”
12 means the National Commission on the Bicentennial
13 of the Louisiana Purchase established under section
14 4(a).

15 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

16 (a) ESTABLISHMENT.—There is established a com-
17 mission to be known as the “National Commission on the
18 Bicentennial of the Louisiana Purchase”.

19 (b) DUTIES.—The Commission shall plan, encourage,
20 coordinate, and conduct the commemoration of the Bicen-
21 tennial.

22 (c) MEMBERSHIP.—

23 (1) NUMBERS AND APPOINTMENT.—The Com-
24 mission shall be composed of 20 members,
25 including—

1 (A) 14 members consisting of the gov-
2 ernor, or their designee, of each State that
3 made up the Louisiana Territory;

4 (B) the Director of the National Museum
5 of American History of the Smithsonian Insti-
6 tution or his designee;

7 (C) the Librarian of Congress or his des-
8 ignee;

9 (D) as chosen by the Commission, the
10 president or head of 2 United States historical
11 societies, foundations, or organizations of Na-
12 tional stature or prominence;

13 (E) the Secretary of Education or his des-
14 ignee; and

15 (F) 2 members from the largest Federally
16 recognized Native American tribes within the
17 territory.

18 (2) INTERNATIONAL PARTICIPATION.—The
19 President may invite the Governments of France
20 and Spain to appoint 1 individual each to serve as
21 a nonvoting member of the Commission.

22 (3) DATE OF APPOINTMENTS.—The appoint-
23 ment of a member of the Commission described in
24 paragraph (1) shall be made not later than 120 days
25 after the date of enactment of this Act.

1 (d) TERM; VACANCIES.—

2 (1) TERM.—A member shall be appointed for
3 the life of the Commission.

4 (2) VACANCY.—A vacancy on the
5 Commission—

6 (A) shall not affect the powers of the Com-
7 mission; and

8 (B) shall be filled in the same manner as
9 the original appointment was made.

10 (e) ORGANIZATION AND INITIAL MEETING.—No later
11 than 90 days after the date of enactment of this Act, the
12 Commission shall meet and select a Chairperson, Vice
13 Chairperson, and Executive Director.

14 (f) MEETINGS.—The Commission shall meet at the
15 call of the Chairperson described under subsection (h).

16 (g) QUORUM.—A quorum of the Commission for deci-
17 sion-making purposes shall be 11 members, except that
18 a lesser number of members, as determined by the Com-
19 mission, may conduct meetings.

20 (h) CHAIRPERSON.—The Commission shall select a
21 Chairperson of the Commission from the members des-
22 ignated under subsection (c)(1). The Chairperson may be
23 removed by a vote of a majority of the Commission's mem-
24 bers.

1 **SEC. 5. DUTIES.**

2 (a) IN GENERAL.—The Commission shall—

3 (1) plan and develop activities appropriate to
4 commemorate the Bicentennial including a limited
5 number of proposed projects to be undertaken by the
6 appropriate Federal departments and agencies that
7 commemorate the Bicentennial by seeking to har-
8 monize and balance the important goals of ceremony
9 and celebration with the equally important goals of
10 scholarship and education;

11 (2) consult with and encourage Indian tribes,
12 appropriate Federal departments and agencies, State
13 and local governments, elementary and secondary
14 schools, colleges and universities, foreign govern-
15 ments, and private organizations to organize and
16 participate in Bicentennial activities commemorating
17 or examining—

18 (A) the history of the Louisiana Territory;

19 (B) the negotiations of the Louisiana Pur-
20 chase;

21 (C) voyages of discovery;

22 (D) frontier movements; and

23 (E) the westward expansion of the United
24 States;

1 (3) coordinate activities throughout the United
 2 States and internationally that relate to the history
 3 and influence of the Louisiana Purchase; and

4 (4) encourage the publication of popular and
 5 scholarly works related to the Louisiana purchase.

6 (b) REPORTS.—

7 (1) IN GENERAL.—Not later than 1 year before
 8 the Bicentennial date, the Commission shall submit
 9 to the President and Congress a comprehensive re-
 10 port that includes specific recommendations for—

11 (A) the allocation of financial and adminis-
 12 trative responsibility among participating enti-
 13 ties and persons with respect to commemoration
 14 of the Bicentennial; and

15 (B) the commemoration of the Bicenten-
 16 nial and related events through programs and
 17 activities, such as—

18 (i) the production, publication, and
 19 distribution of books, pamphlets, films,
 20 electronic publications, and other edu-
 21 cational materials focusing on the history
 22 and impact of the Louisiana Purchase on
 23 the United States and the world;

1 (ii) bibliographical and documentary
 2 projects, publications, and electronic re-
 3 sources;

4 (iii) conferences, convocations, lec-
 5 tures, seminars, and other programs;

6 (iv) the development of programs by
 7 and for libraries, museums, parks and his-
 8 toric sites, including international and na-
 9 tional traveling exhibitions;

10 (v) ceremonies and celebrations com-
 11 memorating specific events;

12 (vi) the production, distribution, and
 13 performance of artistic works, and of pro-
 14 grams and activities, focusing on the inter-
 15 national and national significance of the
 16 Louisiana Purchase and the westward
 17 movement opening the frontier for present
 18 and future generations; and

19 (vii) the issuance of commemorative
 20 coins, medals, certificates of recognition,
 21 and stamps.

22 (2) ANNUAL REPORT.—In each fiscal year in
 23 which the Commission is in existence, the Commis-
 24 sion shall prepare and submit to Congress a report
 25 describing the activities of the Commission during

1 the fiscal year. Each annual report shall also
2 include—

3 (A) recommendations regarding appro-
4 priate activities to commemorate the centennial
5 of the Louisiana Purchase, including—

6 (i) the production, publication, and
7 distribution of books, pamphlets, films, and
8 other educational materials;

9 (ii) bibliographical and documentary
10 projects and publications;

11 (iii) conferences, convocations, lec-
12 tures, seminars, and other similar pro-
13 grams;

14 (iv) the development of exhibits for li-
15 braries, museums, and other appropriate
16 institutions;

17 (v) ceremonies and celebrations com-
18 memorating specific events that relate to
19 the Louisiana Purchase;

20 (vi) programs focusing on the history
21 of the Louisiana Purchase and its benefits
22 to the United States and humankind; and

23 (vii) competitions, commissions, and
24 awards regarding historical, scholarly, ar-
25 tistic, literary, musical, and other works,

1 programs, and projects related to the cen-
2 tennial of the Louisiana Purchase;

3 (B) recommendations to appropriate agen-
4 cies or advisory bodies regarding the issuance of
5 commemorative coins, medals, and stamps by
6 the United States relating to aviation or the
7 centennial of the Louisiana Purchase;

8 (C) recommendations for any legislation or
9 administrative action that the Commission de-
10 termines to be appropriate regarding the com-
11 memoration of the centennial of the Louisiana
12 Purchase;

13 (D) an accounting of funds received and
14 expended by the Commission in the fiscal year
15 that the report concerns, including a detailed
16 description of the source and amount of any
17 funds donated to the Commission in the fiscal
18 year; and

19 (E) an accounting of any cooperative
20 agreements and contract agreements entered
21 into by the Commission.

22 (3) FINAL REPORT.—Not later than 1 year
23 after the Bicentennial date, the Commission shall
24 submit to the President and Congress a final report.
25 The final report shall contain—

1 (A) a summary of the activities of the
2 Commission;

3 (B) a final accounting of funds received
4 and expended by the Commission;

5 (C) any findings and conclusions of the
6 Commission; and

7 (D) specific recommendations concerning
8 the final disposition of any historically signifi-
9 cant items acquired by the Commission, includ-
10 ing items donated to the Commission.

11 (c) ASSISTANCE.—In carrying out this Act, the Com-
12 mission shall consult, cooperate with, and seek advice and
13 assistance from appropriate Federal departments and
14 agencies.

15 **SEC. 6. POWERS OF THE COMMISSION.**

16 (a) IN GENERAL.—The Commission may provide
17 for—

18 (1) the preparation, distribution, dissemination,
19 exhibition, and sale of historical, commemorative,
20 and informational materials and objects that will
21 contribute to public awareness of, and interest in,
22 the Bicentennial, except that any commemorative
23 coin, medal, or postage stamp recommended to be
24 issued by the United States shall be sold only by a
25 Federal department or agency;

1 (2) competitions and awards for historical,
2 scholarly, artistic, literary, musical, and other works,
3 programs, and projects relating to the Bicentennial;

4 (3) a Bicentennial calendar or register of pro-
5 grams and projects, and in other ways provide a
6 central clearinghouse for information and coordina-
7 tion regarding dates, events, places, documents, arti-
8 facts, and personalities of Bicentennial historical
9 and commemorative significance; and

10 (4) the design and designation of logos, sym-
11 bols, or marks for use in connection with the com-
12 memoration of the Bicentennial shall establish proce-
13 dures regarding their use.

14 (b) FEDERAL COOPERATION.—To ensure the overall
15 success of the Commission's efforts, the Commission may
16 call upon various Federal departments and agencies to as-
17 sist in and give support to the programs of the Commis-
18 sion. The head of the Federal department or agency,
19 where appropriate, shall furnish the information or assist-
20 ance requested by the Commission, unless prohibited by
21 law.

22 (c) PROHIBITION OF PAY OTHER THAN TRAVEL EX-
23 PENSES.—Members of an advisory committee or task
24 force of the Commission shall not receive pay, but may
25 receive travel expenses pursuant to policies adopted by the

1 Commission. Members who are Federal employees shall
2 not receive travel expenses if otherwise reimbursed by the
3 Federal Government.

4 (d) POWERS OF MEMBERS AND AGENTS.—Any mem-
5 ber or agent of the Commission may, if authorized by the
6 Commission, take any action that the Commission is au-
7 thorized to take under this Act.

8 (e) AUTHORITY TO PROCURE AND TO MAKE LEGAL
9 AGREEMENTS.—

10 (1) IN GENERAL.—Notwithstanding any other
11 provision in this Act, only the Commission may pro-
12 cure supplies, services, and property, and make or
13 enter into leases and other legal agreements in order
14 to carry out this Act.

15 (2) RESTRICTION.—

16 (A) IN GENERAL.—A contract, lease, or
17 other legal agreement made or entered into by
18 the Commission may not extend beyond the
19 date of the termination of the Commission.

20 (B) FEDERAL SUPPORT.—The Commission
21 shall obtain property, equipment, and office
22 space from the General Services Administration
23 or the Smithsonian Institution, unless other of-
24 fice space, property, or equipment is less costly.

1 (3) SUPPLIES AND PROPERTY POSSESSED BY
2 COMMISSION AT TERMINATION.—Any supplies and
3 property, except historically significant items, that
4 are acquired by the Commission under this Act and
5 remain in the possession of the Commission on the
6 date of the termination of the Commission shall be-
7 come the property of the General Services Adminis-
8 tration upon the date of termination.

9 (f) ADVISORY COMMITTEE.—The Commission may
10 appoint such advisory committees as the Commission de-
11 termines necessary to carry out the purposes of this Act.

12 **SEC. 7. ADMINISTRATION.**

13 (a) LOCATION OF OFFICE.—

14 (1) CENTRAL OFFICE.—The central office of
15 the Commission shall be in Washington, D.C.

16 (2) ADDITIONAL OFFICES.—The Commission
17 shall establish 2 additional offices in New Orleans,
18 Louisiana, and St. Louis, Missouri.

19 (b) EXECUTIVE DIRECTOR.—There shall be an Exec-
20 utive Director appointed by the Commission and chosen
21 from among detailees from the agencies and organizations
22 represented on the Commission. The Executive Director
23 may be paid at a rate not to exceed the maximum rate
24 of basic pay payable for the Senior Executive Service.

1 (c) STAFF.—The Commission may appoint and fix
2 the pay of any additional personnel that it considers ap-
3 propriate, except that an individual appointed under this
4 subsection may not receive pay in excess of the maximum
5 rate of basic pay payable for GS-14 of the General Sched-
6 ule.

7 (d) INAPPLICABILITY OF CERTAIN CIVIL SERVICE
8 LAWS.—The Executive Director and staff of the Commis-
9 sion may be appointed without regard to the provisions
10 of title 5, United States Code, governing appointments in
11 the competitive service, and may be paid without regard
12 to the provisions of chapter 51 and subchapter III of chap-
13 ter 53 of such title, relating to classification and General
14 Schedule pay rates, except as provided under subsections
15 (a) and (b) of this section.

16 (e) MERIT SYSTEM PRINCIPLES.—The appointment
17 of the Executive Director or any personnel of the Commis-
18 sion under subsection (a) or (b) shall be made consistent
19 with the merit system principles under section 2301 of
20 title 5, United States Code.

21 (f) STAFF OF FEDERAL AGENCIES.—Upon request
22 by the Chairperson of the Commission, the head of any
23 Federal department or agency may detail, on either a non-
24 reimbursable or reimbursable basis, any of the personnel

1 of the department or agency to the Commission to assist
2 the Commission to carry out its duties under this Act.

3 (g) ADMINISTRATIVE SUPPORT SERVICES.—The Sec-
4 retary of the Smithsonian Institution may provide to the
5 Commission on a reimbursable basis any administrative
6 support services that are necessary to enable the Commis-
7 sion to carry out this Act.

8 (h) COOPERATIVE AGREEMENTS.—The Commission
9 may enter into cooperative agreements with other Federal
10 agencies, State and local governments, and nonprofit orga-
11 nizations that will contribute to public awareness of and
12 interest in the centennial of the Louisiana Purchase and
13 toward furthering the goals and purposes of this Act.

14 (i) PROGRAM SUPPORT.—The Commission may re-
15 ceive program support from the nonprofit sector.

16 (j) MEMBERS' COMPENSATION.—

17 (1) IN GENERAL.—A member of the Commis-
18 sion shall serve without compensation.

19 (2) TRAVEL EXPENSES.—The Commission may
20 adopt a policy, only by unanimous vote, for members
21 of the Commission and related advisory panels to re-
22 ceive travel expenses, including per diem in lieu of
23 subsistence. The policy may not exceed the levels es-
24 tablished under sections 5702 and 5703 of title 5,
25 United States Code. Members who are Federal em-

1 ployees shall not receive travel expenses if otherwise
2 reimbursed by the Federal Government.

3 (k) OTHER REVENUES AND EXPENDITURES.—The
4 Commission may procure supplies, services, and property,
5 enter into contracts, and expend funds appropriated, do-
6 nated, or received to carry out contracts.

7 (l) POSTAL SERVICES.—The Commission may use
8 the United States mail to carry out this Act in the same
9 manner and under the same conditions as other agencies
10 of the Federal Government.

11 **SEC. 8. CONTRIBUTIONS.**

12 (a) DONATIONS.—The Commission may solicit, ac-
13 cept, and use donations of money, property, or personal
14 services and historic materials relating to the implementa-
15 tion of its responsibilities under the provisions of this Act.
16 The Commission shall not accept donations the value of
17 which exceeds—

18 (1) \$50,000 annually with respect to an indi-
19 vidual; and

20 (2) \$250,000 annually with respect to any per-
21 son other than an individual.

22 (b) VOLUNTEER SERVICES.—Notwithstanding sec-
23 tion 1342 of title 31, United States Code, the Commission
24 may accept and use voluntary and uncompensated services
25 as the Commission determines necessary.

1 (c) REMAINING FUNDS.—Any funds (including funds
 2 received from licensing royalties) remaining with the Com-
 3 mission on the date of the termination of the Commission
 4 may be used to ensure proper disposition, as specified in
 5 the final report required under section 10(b), of histori-
 6 cally significant property which was donated to or ac-
 7 quired by the Commission. Any funds remaining after
 8 such disposition shall be transferred to the Secretary of
 9 the Treasury for deposit into the general fund of the
 10 Treasury of the United States.

11 (d) ACQUIRED ITEMS.—Any book, manuscript, mis-
 12 cellaneous printed matter, memorabilia, relic, and other
 13 material or property relating to the time period of the
 14 Louisiana Purchase acquired by the Commission may be
 15 deposited for preservation in national, State, or local li-
 16 braries, museums, archives, or other agencies with the
 17 consent of the depositary institution.

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

20 (a) IN GENERAL.—The Commission may devise any
 21 logo, emblem, seal, or descriptive or designating mark that
 22 is required to carry out its duties or that it determines
 23 is appropriate for use in connection with the commemora-
 24 tion of the Bicentennial of the Louisiana Purchase.

1 (b) LICENSING.—The Commission shall have the sole
 2 and exclusive right to use, or to allow or refuse the use
 3 of, the name “National Commission on the Bicentennial
 4 of the Louisiana Purchase” on any logo, emblem, seal, or
 5 descriptive or designating mark that the Commission law-
 6 fully adopts.

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

10 (d) USE OF FUNDS.—Funds from licensing royalties
 11 received pursuant to this section shall be used by the Com-
 12 mission to carry out the duties of the Commission speci-
 13 fied by this Act.

14 (e) LICENSING RIGHTS.—All exclusive licensing
 15 rights, unless otherwise specified, shall revert to the Na-
 16 tional Museum of American History upon termination of
 17 the Commission.

18 **SEC. 10. AUDIT OF FINANCIAL TRANSACTIONS.**

19 (a) IN GENERAL.—

20 (1) AUDIT.—The Comptroller General of the
 21 United States shall audit on an annual basis the fi-
 22 nancial transactions of the Commission, including fi-
 23 nancial transactions involving donated funds, in ac-
 24 cordance with generally accepted auditing standards.

1 (2) ACCESS.—In conducting an audit under
2 this section, the Comptroller General.—

3 (A) shall have access to all books, ac-
4 counts, financial records, reports, files, and
5 other papers, items, or property in use by the
6 Commission, as necessary to facilitate the audit;
7 and

8 (B) shall be afforded full facilities for
9 verifying the financial transactions of the Com-
10 mission, including access to any financial
11 records or securities held for the Commission by
12 depositories, fiscal agents, or custodians.

13 (b) FINAL REPORT.—Not later than 120 days after
14 the date on which the Commission submits its final report,
15 the Comptroller General of the United States shall submit
16 to the President and to Congress a report detailing the
17 results of any audit of the financial transactions of the
18 Commission conducted by the Comptroller General.

19 **SEC. 11. TERMINATION OF THE COMMISSION.**

20 Not later than 60 days after the submission of the
21 final report, the Commission shall terminate.

22 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—Subject to subsections (b) and (c),
24 there are authorized to be appropriated to carry out the

1 purposes of this Act \$250,000 for each of the fiscal years
2 2002, 2003, and 2004.

3 (b) AVAILABILITY OF FUNDS.—Amounts appro-
4 priated under this section for any fiscal year shall remain
5 available until March 31, 2004.

Passed the Senate August 3, 2001.

Attest:

JERI THOMSON,
Secretary.

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