

109TH CONGRESS
1ST SESSION

H. R. 4516

To establish the Hudson-Fulton-Champlain Quadricentennial Commemoration Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2005

Mr. MCHUGH (for himself, Mr. SWEENEY, Mrs. KELLY, Mr. FOSSELLA, Mr. KUHL of New York, Mr. WALSH, Mr. KING of New York, Mr. REYNOLDS, Mr. BOEHLERT, Mrs. MALONEY, Mr. TOWNS, Mr. ENGEL, and Mr. CROWLEY) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To establish the Hudson-Fulton-Champlain Quadricentennial Commemoration Commission, 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 “Hudson-Fulton-Cham-
5 plain Quadricentennial Commemoration Commission Act
6 of 2005”.

7 **SEC. 2. FINDINGS AND PURPOSE.**

8 (a) FINDINGS.—The Congress finds the following:

1 (1) The first European exploration of the Hud-
2 son River and Lake Champlain and the introduction
3 of steam navigation to maritime commerce were
4 events of major historical importance, both in the
5 United States and internationally.

6 (2) In 1609, Englishman Henry Hudson, acting
7 in service of the Dutch East India Company, was
8 the first European to sail up the river later named
9 for him in the vessel HALF MOON. Also in 1609,
10 French explorer Samuel de Champlain was the first
11 European to see the lake later named for him, as
12 well as the shores of Northern New York and
13 Vermont.

14 (3) These voyages were two of the most signifi-
15 cant passages in the European exploration and dis-
16 covery of America, and included two of the earliest
17 contacts in the New World between Native Ameri-
18 cans and Europeans.

19 (4) These explorations led to the establishment
20 of Fort Orange, a Dutch (and later English) settle-
21 ment of what is now the capital city of the State of
22 New York, as well as the establishment of French
23 trading posts, military posts, and settlements as far
24 south as Lake George. From these early establish-
25 ments came trade, commerce, cultural, and religious

1 impact deep into the Mohawk Valley and as far west
2 as Lake Erie. These settlements influenced the Na-
3 tion's history, culture, law, commerce, and traditions
4 of liberty which extends to the present day, and
5 which is constantly reflected in the position of the
6 United States as the leader of the nations of the free
7 world.

8 (5) In 1807, Robert Fulton navigated the Hud-
9 son River from the city of New York to Albany in
10 the steamboat CLERMONT, successfully inau-
11 gurating steam navigation on a commercial basis.
12 This event is one of the most important events in
13 the history of navigation. It revolutionized water-
14 borne commerce on the great rivers of the United
15 States, transformed naval warfare, and fostered
16 international relations through transoceanic travel
17 and trade.

18 (6) In 1909, the Congress authorized a Cham-
19 plain Tercentennial Commission and supported its
20 activities. The Congress recognized the 350th anni-
21 versary by establishing a similar commission to co-
22 ordinate Federal participation in the 1959 celebra-
23 tion of Hudson's and Champlain's discoveries.

24 (7) The National Park Service owns and oper-
25 ates significant resources in New York related to the

1 early history of the nation and the Hudson River
2 Valley.

3 (8) In 2000, Canada's Province of Quebec es-
4 tablished a Quebec 400 Commission with a budget
5 in excess of \$1,000,000, of which the 1609 Cham-
6 plain voyage into the Lake Champlain region is a
7 part.

8 (9) In 2002, the State of New York established
9 a Hudson-Fulton-Champlain Commission.

10 (10) In 2003, the State of Vermont established
11 a Lake Champlain Quadricentennial Commission.

12 (b) PURPOSE.—The purpose of this Act is to estab-
13 lish the Hudson-Fulton-Champlain Quadricentennial
14 Commemoration Commission to—

15 (1) ensure a suitable national observance of the
16 Henry Hudson, Robert Fulton, and Samuel de
17 Champlain 2009 anniversaries through cooperation
18 with and assistance to the programs and activities of
19 New York, Vermont, and the commemorative com-
20 missions formed by the States and Canada;

21 (2) assist in ensuring that Hudson-Fulton-
22 Champlain 2009 observances provide an excellent
23 visitor experience and beneficial interaction between
24 visitors and the natural and cultural resources of the
25 New York and Vermont sites;

1 (3) assist in ensuring that Hudson-Fulton-
2 Champlain 2009 observances are inclusive and ap-
3 propriately recognize the diverse Hudson River and
4 Lake Champlain Valley communities that developed
5 over four centuries;

6 (4) facilitate international involvement in the
7 Hudson-Fulton-Champlain 2009 observances;

8 (5) support and facilitate marketing efforts for
9 a commemorative coin, a commemorative stamp, and
10 related activities for the Hudson-Fulton-Champlain
11 2009 observances;

12 (6) assist in the appropriate development of
13 heritage tourism and economic benefits to the
14 United States; and

15 (7) support and facilitate the related efforts of
16 the Lake Champlain Basin Program in the coordina-
17 tion of efforts to commemorate the voyage of Samuel
18 de Champlain.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) **COMMEMORATION.**—The term “commemo-
22 ration” means the commemoration of—

23 (A) the 200th anniversary of Robert Ful-
24 ton’s voyage in the CLERMONT;

1 (B) the 400th anniversary of Henry Hud-
2 son's voyage in the HALF MOON; and

3 (C) the 400th anniversary of Samuel de
4 Champlain's voyage.

5 (2) COMMISSION.—The term “Commission”
6 means the Hudson-Fulton-Champlain
7 Quadricentennial Commemoration Commission es-
8 tablished by section 4(a).

9 (3) LAKE CHAMPLAIN BASIN PROGRAM.—The
10 term “Lake Champlain Basin Program” means the
11 partnership with Federal agencies established by the
12 States of New York and Vermont under section 120
13 of the Federal Water Pollution Control Act (33
14 U.S.C. 1270) to implement the Lake Champlain
15 management plan entitled “Opportunities for Ac-
16 tion”.

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

19 (5) STATES.—The term “States”—

20 (A) means the States of New York and
21 Vermont; and

22 (B) includes agencies and entities of each
23 such State.

1 **SEC. 4. HUDSON-FULTON-CHAMPLAIN QUADRICENTENNIAL**
2 **COMMEMORATION COMMISSION.**

3 (a) IN GENERAL.—The Secretary shall establish a
4 commission to be known as the “Hudson-Fulton-Cham-
5 plain Quadricentennial Commemoration Commission”.

6 (b) MEMBERSHIP.—

7 (1) IN GENERAL.—The Commission shall be
8 composed of 16 members, of whom—

9 (A) 2 members shall be employees of the
10 National Park Service, of whom—

11 (i) one shall be the Director of the
12 National Park Service (or a designee); and

13 (ii) one shall be an employee of the
14 National Park Service having experience
15 relevant to the commemoration, who shall
16 be appointed by the Secretary;

17 (B) 8 members shall be appointed by the
18 Secretary from among individuals who, on the
19 date of the enactment of this act, are serving
20 as members of the State of New York’s Hud-
21 son-Fulton-Champlain Commission, of whom—

22 (i) 4 shall be residents of the Hudson
23 Valley; and

24 (ii) 4 shall be residents of the Cham-
25 plain Valley;

1 (C) 4 members shall be appointed by the
2 Secretary from among individuals who, on the
3 date of the enactment of this Act, are serving
4 as members of the State of Vermont's Lake
5 Champlain Quadricentennial Commission and
6 are residents of Vermont; and

7 (D) 2 members shall be appointed by the
8 secretary from among individuals who have an
9 interest in, demonstrated their support for, and
10 demonstrated expertise appropriate to, the com-
11 memoration, of whom—

12 (i) one shall be knowledgeable of the
13 Hudson River Valley National Heritage
14 Area; and

15 (ii) one shall be knowledgeable of the
16 Champlain Valley.

17 (2) TERM; VACANCIES.—

18 (A) TERM.—Each member of the Commis-
19 sion shall be appointed for the life of the Com-
20 mission.

21 (B) VACANCIES.—

22 (i) IN GENERAL.—A vacancy on the
23 Commission shall be filled in the same
24 manner in which the original appointment
25 was made.

1 (ii) PARTIAL TERM.—A member ap-
2 pointed to fill a vacancy on the Commis-
3 sion shall serve for the remainder of the
4 term for which the predecessor of the
5 member was appointed.

6 (3) MEETINGS.—

7 (A) IN GENERAL.—The Commission shall
8 meet—

9 (i) at least twice each year; or

10 (ii) at the call of the Chairperson or
11 the majority of the members of the Com-
12 mission.

13 (B) INITIAL MEETING.—Not later than 30
14 days after the date on which all members of the
15 Commission have been appointed, the Commis-
16 sion shall hold the initial meeting of the Com-
17 mission.

18 (4) CHAIRPERSON AND VICE CHAIRPERSON.—

19 (A) The Commission shall elect the chair-
20 person and the vice chairperson of the Commis-
21 sion on an annual basis.

22 (B) The vice chairperson shall serve as the
23 chairperson in the absence of the chairperson.

1 (5) QUORUM.—A majority of voting members
2 shall constitute a quorum, but a lesser number may
3 hold meetings.

4 (6) VOTING.—

5 (A) IN GENERAL.—The Commission shall
6 act only on an affirmative vote of a majority of
7 the voting members of the Commission.

8 (B) NONVOTING MEMBERS.—The individ-
9 uals appointed under subparagraph (D) of
10 paragraph (1) shall be nonvoting members, and
11 shall serve only in an advisory capacity.

12 (c) DUTIES.—

13 (1) IN GENERAL.—The Commission shall—

14 (A) plan, develop, and execute programs
15 and activities appropriate to commemorate the
16 400th anniversary of the voyage of Henry Hud-
17 son as the first European to sail up the Hudson
18 River, the 200th anniversary of the voyage of
19 Robert Fulton as the first person to use steam
20 navigation on a commercial basis, and the
21 400th anniversary of the voyage of Samuel de
22 Champlain as the first European to discover
23 and explore Lake Champlain;

24 (B) facilitate Hudson-Fulton-Champlain-
25 related activities throughout the United States;

1 (C) coordinate its activities with State
2 commemoration commissions and appropriate
3 Federal Government agencies, including the De-
4 partments of Agriculture, Defense, State, and
5 Transportation, the National Park Service with
6 respect to the Hudson River Valley National
7 Heritage Area, the American Heritage Rivers
8 Initiative Interagency Committee established by
9 Executive Order 13061, dated September 11,
10 1997, the Lake Champlain Basin Program, the
11 National Endowment for the Humanities, and
12 the National Endowment for the Arts;

13 (D) encourage civic, patriotic, historical,
14 educational, artistic, religious, economic, and
15 other organizations throughout the United
16 States to organize and participate in anniver-
17 sary activities to expand the understanding and
18 appreciation of the significance of the voyages
19 of Henry Hudson, Robert Fulton, and Samuel
20 de Champlain;

21 (E) provide technical assistance to States,
22 localities, and nonprofit organizations to further
23 the commemoration;

24 (F) coordinate and facilitate the public
25 scholarly research on, publication about, and in-

1 terpretation of, the voyages of Henry Hudson,
2 Robert Fulton, and Samuel de Champlain;

3 (G) ensure that the Hudson-Fulton-Cham-
4 plain 2009 anniversaries provide a lasting leg-
5 acy and long-term public benefit by assisting in
6 the development of appropriate programs and
7 facilities;

8 (H) assist in ensuring that the observances
9 of the voyages of Samuel de Champlain and
10 Henry Hudson are inclusive and appropriately
11 recognize the experiences and heritage of all
12 people present when Samuel de Champlain ar-
13 rived in the Champlain Valley and Henry Hud-
14 son sailed the Hudson River; and

15 (I) consult and coordinate with the Lake
16 Champlain Basin Program and other relevant
17 organizations in the planning and development
18 of programs and activities for the commemora-
19 tion of the voyage of Samuel de Champlain.

20 (2) STRATEGIC PLAN AND ANNUAL PERFORM-
21 ANCE PLANS.—The Commission shall prepare a
22 strategic plan in accordance with section 306 of title
23 5, United States Code, and annual performance
24 plans in accordance with section 1115 of title 31,

1 United States Code, for the activities of the Com-
2 mission carried out under this Act.

3 (3) REPORTS.—

4 (A) ANNUAL REPORT.—The Commission
5 shall submit to the Congress an annual report
6 that contains a list of each gift, bequest, or de-
7 vise with a value of more than \$250, together
8 with the identity of the donor of each such gift,
9 bequest, or devise.

10 (B) FINAL REPORT.—Not later than Sep-
11 tember 30, 2010, the Commission shall submit
12 to the Secretary a final report that contains—

13 (i) a summary of the activities of the
14 Commission;

15 (ii) a final accounting of funds re-
16 ceived and expended by the Commission;
17 and

18 (iii) the findings and recommenda-
19 tions of the Commission.

20 (d) POWERS OF THE COMMISSION.—

21 (1) IN GENERAL.—The Commission may—

22 (A) solicit, accept, use, and dispose of
23 gifts, bequests, or devises of money or other
24 real or personal property for the purpose of aid-
25 ing or facilitating the work of the Commission;

1 (B) appoint such advisory committees as
2 the Commission determines to be necessary to
3 carry out this Act;

4 (C) authorize any member or employee of
5 the Commission to take any action that the
6 Commission is authorized to take by this Act;

7 (D) subject to the availability of appropria-
8 tions, procure supplies, services, and property,
9 and make or enter into contracts, leases, or
10 other legal agreements, to carry out this Act,
11 except that any contracts, leases, or other legal
12 agreements made or entered into by the Com-
13 mission directly or with administrative assist-
14 ance from the Lake Champlain Basin Program
15 shall not have effect after the date of the termi-
16 nation of the Commission;

17 (E) use the United States mails in the
18 same manner and under the same conditions as
19 other Federal agencies;

20 (F) subject to approval by the Commission
21 and the availability of appropriations, make
22 grants in amounts not to exceed \$20,000 to
23 communities, nonprofit organizations, and com-
24 memorative commissions formed by the States

1 to develop programs to assist in the commemoration;
2

3 (G) subject to the availability of appropriations, make grants in amounts not to exceed
4 \$20,000 to research and scholarly organizations
5 to research, publish, or distribute information
6 relating to the early history of the voyages of
7 Hudson, Fulton, and Champlain; and
8

9 (H) provide technical assistance to the
10 States, localities, and nonprofit organizations to
11 develop programs and facilities to further the
12 commemoration.

13 (2) COORDINATION AND CONSULTATION WITH
14 LAKE CHAMPLAIN BASIN PROGRAM.—The Commission shall coordinate and consult with the Lake
15 Champlain Basin Program in providing grants and
16 technical assistance under subparagraphs (F), (G),
17 and (H) of paragraph (1) for the conduct of activities relating to the commemoration of the voyage of
18 Samuel de Champlain.
19

20 (e) COMMISSION PERSONNEL MATTERS.—
21

22 (1) COMPENSATION OF MEMBERS OF THE COMMISSION.—
23

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), a member of the Commis-
3 sion shall serve without compensation.

4 (B) FEDERAL EMPLOYEES.—A member of
5 the Commission who is an officer or employee
6 of the Federal Government shall serve without
7 compensation in addition to the compensation
8 received for the services of the member as an
9 officer or employee of the Federal Government.

10 (C) TRAVEL EXPENSES.—A member of the
11 Commission shall be allowed travel expenses, in-
12 cluding per diem in lieu of subsistence, at rates
13 authorized for an employee of an agency under
14 subchapter I of chapter 57 of title 5, United
15 States Code, while away from the home or reg-
16 ular place of business of the member in the per-
17 formance of the duties of the Commission.

18 (2) STAFF.—

19 (A) IN GENERAL.—The Chairperson of the
20 Commission may, without regard to the civil
21 service laws (including regulations), appoint
22 and terminate an executive director and such
23 other additional personnel as are necessary to
24 enable the Commission to perform the duties of
25 the Commission.

1 (B) CONFIRMATION OF EXECUTIVE DIREC-
2 TOR.—The employment of an executive director
3 shall be subject to confirmation by the Commis-
4 sion.

5 (3) COMPENSATION.—

6 (A) IN GENERAL.—Except as provided in
7 subparagraph (B), the Chairperson of the Com-
8 mission may fix the compensation of the execu-
9 tive director and other personnel without regard
10 to the provisions of chapter 51 and subchapter
11 III of chapter 53 of title 5, United States Code,
12 relating to classification of positions and Gen-
13 eral Schedule pay rates.

14 (B) MAXIMUM RATE OF PAY.—The rate of
15 pay for the executive director and other per-
16 sonnel shall not exceed the rate payable for
17 level V of the Executive Schedule under section
18 5316 of title 5, United States Code.

19 (4) DETAIL OF GOVERNMENT AND LAKE CHAM-
20 PLAIN BASIN PROGRAM EMPLOYEES.—

21 (A) FEDERAL EMPLOYEES.—

22 (i) IN GENERAL.—At the request of
23 the Commission, the head of any Federal
24 agency may detail, on a reimbursable or
25 nonreimbursable basis, any of the per-

sonnel of the agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(ii) CIVIL SERVICE STATUS.—The detail of an employee under clause (i) shall be without interruption or loss of civil service status or privilege.

(B) STATE EMPLOYEES.—The Commission may—

(i) accept the services of personnel detailed from States (including subdivisions of States); and

(ii) reimburse States for services of detailed personnel.

(C) LAKE CHAMPLAIN BASIN PROGRAM EMPLOYEES.—The Commission may—

(i) accept the services of personnel from the Lake Champlain Basin Program; and

(ii) reimburse the Lake Champlain Basin Program for services of detailed personnel.

(5) VOLUNTEER AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and

1 use voluntary and uncompensated services as the
2 Commission determines necessary.

3 (6) SUPPORT SERVICES.—The Director of the
4 National Park Service shall provide to the Commis-
5 sion, on a reimbursable basis, such administrative
6 support services as the Commission may request.

7 (f) PROCUREMENT OF TEMPORARY AND INTERMIT-
8 TENT SERVICES.—Subject to the availability of appropria-
9 tions, the Chairperson of the Commission may procure
10 temporary and intermittent services in accordance with
11 section 3109(b) of title 5, United States Code, at rates
12 for individuals that do not exceed the daily equivalent of
13 the annual rate of basic pay prescribed for level V of the
14 Executive Schedule under section 5316 of that title.

15 (g) FACA NONAPPLICABILITY.—Section 14(b) of the
16 Federal Advisory Committee Act (5 U.S.C. App.) shall not
17 apply to the Commission.

18 (h) NO EFFECT ON AUTHORITY.—Nothing in this
19 section supersedes the authority of the States or the Na-
20 tional Park Service concerning the commemoration.

21 (i) TERMINATION.—The Commission shall terminate
22 on December 31, 2010, and shall transfer all documents
23 and materials of the Commission to the National Archives
24 or other appropriate Federal entity.

1 **SEC. 5. AUDIT OF COMMISSION.**

2 The Inspector General of the Department of the Inte-
3 rior shall perform an annual audit of the Commission and
4 shall make the results of the audit available to the public.

5 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated \$750,000 for
7 each of fiscal years 2006 through 2011 to carry out this
8 Act, of which—

9 (1) 25 percent shall be for New York activities
10 relating to the Samuel de Champlain commemora-
11 tion;

12 (2) 25 percent shall be for Vermont activities
13 relating to the Samuel de Champlain commemora-
14 tion;

15 (3) 30 percent shall be for Hudson Valley ac-
16 tivities relating to the commemoration;

17 (4) 10 percent shall be for New York City ac-
18 tivities relating to the commemoration; and

19 (5) 10 percent shall be for distribution by the
20 Commission in accordance with this Act for activities
21 relating to the commemoration.

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