

Calendar No. 965

110TH CONGRESS
2D SESSION**H. R. 5235**

IN THE SENATE OF THE UNITED STATES

JULY 23, 2008

Received

JULY 24 (legislative day, JULY 23), 2008

Read twice and referred to the Committee on the Judiciary

SEPTEMBER 15, 2008

Reported by Mr. LEAHY, with an amendment

[Insert the part printed in *italic*]

AN ACT

To establish the Ronald Reagan Centennial Commission.

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 “Ronald Reagan Cen-
5 ennial Commission Act”.

1 **SEC. 2. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 “Ronald Reagan Centennial Commission” (in this Act re-
4 ferred to as the “Commission”).

5 **SEC. 3. DUTIES OF COMMISSION.**

6 The Commission shall—

7 (1) plan, develop, and carry out such activities
8 as the Commission considers fitting and proper to
9 honor Ronald Reagan on the occasion of the 100th
10 anniversary of his birth;

11 (2) provide advice and assistance to Federal,
12 State, and local governmental agencies, as well as
13 civic groups to carry out activities to honor Ronald
14 Reagan on the occasion of the 100th anniversary of
15 his birth;

16 (3) develop activities that may be carried out by
17 the Federal Government to determine whether the
18 activities are fitting and proper to honor Ronald
19 Reagan on the occasion of the 100th anniversary of
20 his birth; and

21 (4) submit to the President and Congress re-
22 ports pursuant to section 7.

23 **SEC. 4. MEMBERSHIP.**

24 (a) **NUMBER AND APPOINTMENT.**—The Commission
25 shall be composed of 11 members as follows:

26 (1) The Secretary of the Interior.

1 (2) Four members appointed by the President
2 after considering the recommendations of the Board
3 of Trustees of the Ronald Reagan Foundation.

4 (3) Two Members of the House of Representa-
5 tives appointed by the Speaker of the House of Rep-
6 resentatives.

7 (4) One Member of the House of Representa-
8 tives appointed by the minority leader of the House
9 of Representatives.

10 (5) Two Members of the Senate appointed by
11 the majority leader of the Senate.

12 (6) One Member of the Senate appointed by the
13 minority leader of the Senate.

14 (b) EX OFFICIO MEMBER.—The Archivist of the
15 United States shall serve in an ex officio capacity on the
16 Commission to provide advice and information to the Com-
17 mission.

18 (c) TERMS.—Each member shall be appointed for the
19 life of the Commission.

20 (d) DEADLINE FOR APPOINTMENT.—All members of
21 the Commission shall be appointed not later than 90 days
22 after the date of the enactment of this Act.

23 (e) VACANCIES.—A vacancy on the Commission
24 shall—

1 (1) not affect the powers of the Commission;
2 and

3 (2) be filled in the manner in which the original
4 appointment was made.

5 (f) RATES OF PAY.—Members shall serve without
6 pay.

7 (g) TRAVEL EXPENSES.—Each member of the Com-
8 mission shall be reimbursed for travel and per diem in lieu
9 of subsistence expenses during the performance of duties
10 of the Commission while away from home or his or her
11 regular place of business, in accordance with applicable
12 provisions under subchapter I of chapter 57 of title 5,
13 United States Code.

14 (h) QUORUM.—A majority of the members of the
15 Commission shall constitute a quorum but a lesser number
16 may hold hearings.

17 (i) CHAIRPERSON.—The chairperson of the Commis-
18 sion shall be elected by a majority vote of the members
19 of the Commission.

20 **SEC. 5. DIRECTOR AND STAFF OF COMMISSION.**

21 (a) DIRECTOR.—The Commission may appoint an ex-
22 ecutive director. The executive director may be paid at a
23 rate not to exceed the maximum rate of basic pay for GS-
24 15 of the General Schedule.

1 (b) STAFF.—The Commission may appoint and fix
2 the pay of additional personnel as it considers appropriate
3 except that an individual so appointed may not receive pay
4 in excess of the maximum rate of basic pay for GS–13
5 of the General Schedule.

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

15 (d) DETAIL OF FEDERAL EMPLOYEES.—Upon re-
16 quest of the Commission, the Secretary of the Interior or
17 the Archivist of the United States may detail, on a reim-
18 bursable basis, any of the personnel of that department
19 or agency to the Commission to assist it in carrying out
20 its duties under this Act.

21 (e) EXPERTS AND CONSULTANTS.—The Commission
22 may procure temporary and intermittent services under
23 section 3109(b) of title 5, United States Code, but at rates
24 for individuals not to exceed the daily equivalent of the

1 maximum annual rate of basic pay for GS-14 of the Gen-
2 eral Schedule.

3 (f) VOLUNTEER AND UNCOMPENSATED SERVICES.—
4 Notwithstanding section 1342 of title 31, United States
5 Code, the Commission may accept and use voluntary and
6 uncompensated services as the Commission determines
7 necessary.

8 **SEC. 6. POWERS OF COMMISSION.**

9 (a) HEARINGS.—The Commission may, for the pur-
10 pose of carrying out this Act, hold hearings, sit and act
11 at times and places, take testimony, and receive evidence
12 as the Commission considers appropriate.

13 (b) MAILS.—The Commission may use the United
14 States mails in the same manner and under the same con-
15 ditions as other departments and agencies of the United
16 States.

17 (c) OBTAINING OFFICIAL DATA.—The Commission
18 may secure directly from any department or agency of the
19 United States information necessary to enable it to carry
20 out its duties under this Act. Upon request of the chair-
21 person of the Commission, the head of that department
22 or agency shall furnish that information to the Commis-
23 sion.

24 (d) GIFTS, BEQUESTS, DEVISES.—The Commission
25 may solicit, accept, use, and dispose of gifts, bequests, or

1 devises of money, services, or property, both real and per-
2 sonal, for the purpose of aiding or facilitating its work.

3 (e) AVAILABLE SPACE.—Upon the request of the
4 Commission, the Administrator of General Services shall
5 make available nationwide to the Commission, at a normal
6 rental rate for Federal agencies, such assistance and facili-
7 ties as may be necessary for the Commission to carry out
8 its duties under this Act.

9 (f) CONTRACT AUTHORITY.—To the extent or in the
10 amounts provided in advance in appropriations Acts, the
11 Commission may enter into contracts with and com-
12 pensate government and private agencies or persons to en-
13 able the Commission to discharge its duties under this
14 Act, without regard to section 3709 of the Revised Stat-
15 utes (41 U.S.C. 5).

16 **SEC. 7. REPORTS.**

17 (a) ANNUAL REPORTS.—The Commission shall sub-
18 mit to the President and the Congress annual reports on
19 the revenue and expenditures of the Commission, includ-
20 ing a list of each gift, bequest, or devise to the Commission
21 with a value of more than \$250, together with the identity
22 of the donor of each gift, bequest, or devise.

23 (b) INTERIM REPORTS.—The Commission may sub-
24 mit to the President and Congress interim reports as the
25 Commission considers appropriate.

1 (c) FINAL REPORT.—Not later than April 30, 2011,
2 the Commission shall submit a final report to the Presi-
3 dent and the Congress containing—

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

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

8 (3) the findings, conclusions, and final rec-
9 ommendations of the Commission.

10 **SEC. 8. TERMINATION.**

11 (a) IN GENERAL.—The Commission may terminate
12 on such date as the Commission may determine after it
13 submits its final report pursuant to section 7(c), but not
14 later than May 30, 2011.

15 (b) FACA NONAPPLICABILITY.—Section 14(b) of the
16 Federal Advisory Committee Act (5 U.S.C. App. 2) shall
17 not apply to the Commission.

18 **SEC. 9. ANNUAL AUDIT AND AUTHORIZATION AND AVAIL-**
19 **ABILITY OF APPROPRIATIONS.**

20 (a) AUTHORIZATION.—There is authorized to be ap-
21 propriated \$1,000,000 to carry out this Act for the period
22 encompassing fiscal years 2009 through 2011, but not to
23 exceed \$500,000 in any fiscal year.

24 (b) AVAILABILITY.—

1 (1) Amounts appropriated pursuant to sub-
 2 section (a) are authorized to remain available until
 3 expended.

4 (2) Amounts appropriated pursuant to sub-
 5 section (a) in excess of \$500,000 shall be available
 6 for obligation only to the extent matched by an
 7 equal amount of nongovernmental contributions.

8 (c) ANNUAL AUDIT.—For any fiscal year for which
 9 the Commission receives an appropriation of funds author-
 10 ized under this section, the Inspector General of the De-
 11 partment of the Interior shall perform an audit of the
 12 Commission, shall make the results of the audit available
 13 to the public, and shall transmit such results to the Com-
 14 mittee on Oversight and Government Reform of the House
 15 of Representatives and the Committee on Homeland Secu-
 16 rity and Governmental Affairs of the Senate.

17 ***TITLE II—STAR-SPANGLED BAN-***
 18 ***NER AND WAR OF 1812 BICEN-***
 19 ***TENNIAL COMMISSION ACT***

20 ***SEC. 201. SHORT TITLE.***

21 *This title may be cited as the “Star-Spangled Banner*
 22 *and War of 1812 Bicentennial Commission Act”.*

23 ***SEC. 202. STAR-SPANGLED BANNER AND WAR OF 1812 BI-***
 24 ***CENTENNIAL COMMISSION.***

25 (a) *FINDINGS.—Congress finds that—*

1 (1) *the War of 1812 served as a crucial test for*
2 *the United States Constitution and the newly estab-*
3 *lished democratic Government;*

4 (2) *vast regions of the new multiparty democ-*
5 *racy, including the Chesapeake Bay, the Gulf of Mex-*
6 *ico and the Niagara Frontier, were affected by the*
7 *War of 1812 including the States of Alabama, Con-*
8 *necticut, Delaware, Florida, Georgia, Iowa, Illinois,*
9 *Indiana, Kentucky, Louisiana, Massachusetts, Mary-*
10 *land, Maine, Michigan, Missouri, Mississippi, New*
11 *Jersey, North Carolina, New Hampshire, New York,*
12 *Ohio, Oregon, Pennsylvania, Rhode Island, South*
13 *Carolina, Tennessee, Virginia, Vermont, Wisconsin,*
14 *West Virginia, and the District of Columbia;*

15 (3) *the British occupation of American territory*
16 *along the Great Lakes and in other regions, the burn-*
17 *ing of Washington, DC, the American victories at*
18 *Fort McHenry, New Orleans, and Plattsburgh, among*
19 *other battles, had far reaching effects on American so-*
20 *ciet;*

21 (4) *at the Battle of Baltimore, Francis Scott Key*
22 *wrote the poem that celebrated the flag and later was*
23 *titled “the Star-Spangled Banner”;*

1 (5) *the poem led to the establishment of the flag*
2 *as an American icon and became the words of the na-*
3 *tional anthem of the United States in 1932; and*

4 (6) *it is in the national interest to provide for*
5 *appropriate commemorative activities to maximize*
6 *public understanding of the meaning of the War of*
7 *1812 in the history of the United States.*

8 (b) *PURPOSES.—The purposes of this section are to—*

9 (1) *establish the Star-Spangled Banner and War*
10 *of 1812 Commemoration Commission;*

11 (2) *ensure a suitable national observance of the*
12 *War of 1812 by complementing, cooperating with,*
13 *and providing assistance to the programs and activi-*
14 *ties of the various States involved in the commemora-*
15 *tion;*

16 (3) *encourage War of 1812 observances that pro-*
17 *vide an excellent visitor experience and beneficial*
18 *interaction between visitors and the natural and cul-*
19 *tural resources of the various War of 1812 sites;*

20 (4) *facilitate international involvement in the*
21 *War of 1812 observances;*

22 (5) *support and facilitate marketing efforts for a*
23 *commemorative coin, stamp, and related activities for*
24 *the War of 1812 observances; and*

1 (6) *promote the protection of War of 1812 re-*
2 *sources and assist in the appropriate development of*
3 *heritage tourism and economic benefits to the United*
4 *States.*

5 (c) *DEFINITIONS.—In this section:*

6 (1) *COMMEMORATION.—The term “commemora-*
7 *tion” means the commemoration of the War of 1812.*

8 (2) *COMMISSION.—The term “Commission”*
9 *means the Star-Spangled Banner and War of 1812*
10 *Bicentennial Commission established in subsection*
11 *(d)(1).*

12 (3) *QUALIFIED CITIZEN.—The term “qualified*
13 *citizen” means a citizen of the United States with an*
14 *interest in, support for, and expertise appropriate to*
15 *the commemoration.*

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

18 (5) *STATES.—The term “States”—*

19 (A) *means the States of Alabama, Kentucky,*
20 *Indiana, Louisiana, Maryland, Vermont, Vir-*
21 *ginia, New York, Maine, Michigan, and Ohio;*
22 *and*

23 (B) *includes agencies and entities of each*
24 *State.*

1 (d) *STAR-SPANGLED BANNER AND WAR OF 1812 COM-*
 2 *MEMORATION COMMISSION.*—

3 (1) *IN GENERAL.*—*There is established a com-*
 4 *mission to be known as the “Star-Spangled Banner*
 5 *and War of 1812 Bicentennial Commission”.*

6 (2) *MEMBERSHIP.*—

7 (A) *IN GENERAL.*—*The Commission shall be*
 8 *composed of 22 members, of whom—*

9 (i) *11 members shall be qualified citi-*
 10 *zens appointed by the Secretary after con-*
 11 *sideration of nominations submitted by the*
 12 *Governors of Alabama, Kentucky, Indiana,*
 13 *Louisiana, Maine, Maryland, Michigan,*
 14 *New York, Ohio, Vermont, and Virginia;*

15 (ii) *3 members shall be qualified citi-*
 16 *zens appointed by the Secretary after con-*
 17 *sideration of nominations submitted by the*
 18 *Mayors of the District of Columbia, the City*
 19 *of Baltimore, and the City of New Orleans;*

20 (iii) *2 members shall be employees of*
 21 *the National Park Service, of whom—*

22 (I) *1 shall be the Director of the*
 23 *National Park Service (or a designee);*
 24 *and*

1 (ii) 1 shall be an employee of the
2 National Park Service having experi-
3 ence relevant to the commemoration;

4 (iv) 4 members shall be qualified citi-
5 zens appointed by the Secretary with con-
6 sideration of recommendations—

7 (I) 1 of which are submitted by
8 the majority leader of the Senate;

9 (II) 1 of which are submitted by
10 the minority leader of the Senate;

11 (III) 1 of which are submitted by
12 the majority leader of the House of
13 Representatives; and

14 (IV) 1 of which are submitted by
15 the minority leader of the House of
16 Representatives;

17 (v) 2 members shall be appointed by
18 the Secretary from among individuals with
19 expertise in the history of the War of 1812;
20 and

21 (vi) of the 6 members described in
22 clauses (iv) and (v), a majority of these
23 members shall be from States not otherwise
24 represented on the Commission under the
25 Act and whose citizens played a significant

1 *role in the War of 1812, including Rhode*
 2 *Island.*

3 (B) *DATE OF APPOINTMENTS.*—*The ap-*
 4 *pointment of a member of the Commission shall*
 5 *be made not later than 120 days after the date*
 6 *of enactment of this Act.*

7 (3) *TERM; VACANCIES.*—

8 (A) *TERM.*—*A member shall be appointed*
 9 *for the life of the Commission.*

10 (B) *VACANCIES.*—*A vacancy on the Com-*
 11 *mission—*

12 (i) *shall not affect the powers of the*
 13 *Commission; and*

14 (ii) *shall be filled in the same manner*
 15 *as the original appointment was made.*

16 (4) *VOTING.*—

17 (A) *IN GENERAL.*—*The Commission shall*
 18 *act only on an affirmative vote of a majority of*
 19 *the members of the Commission.*

20 (B) *QUORUM.*—*A majority of the members*
 21 *of the Commission shall constitute a quorum.*

22 (5) *CHAIRPERSON AND VICE CHAIRPERSON.*—

23 (A) *SELECTION.*—*The Commission shall se-*
 24 *lect a chairperson and a vice chairperson from*
 25 *among the members of the Commission.*

1 (B) *ABSENCE OF CHAIRPERSON.*—*The vice*
2 *chairperson shall act as chairperson in the ab-*
3 *sence of the chairperson.*

4 (6) *INITIAL MEETING.*—*Not later than 60 days*
5 *after the date on which all members of the Commis-*
6 *sion have been appointed and funds have been pro-*
7 *vided, the Commission shall hold the initial meeting*
8 *of the Commission.*

9 (7) *MEETINGS.*—*Not less than twice a year, the*
10 *Commission shall meet at the call of the chairperson*
11 *or a majority of the members of the Commission.*

12 (8) *REMOVAL.*—*Any member who fails to attend*
13 *3 successive meetings of the Commission or who other-*
14 *wise fails to participate substantively in the work of*
15 *the Commission may be removed by the Secretary and*
16 *the vacancy shall be filled in the same manner as the*
17 *original appointment was made. Members serve at the*
18 *discretion of the Secretary.*

19 (e) *DUTIES.*—

20 (1) *IN GENERAL.*—*The Commission shall—*

21 (A) *plan, encourage, develop, execute, and*
22 *coordinate programs, observances, and activities*
23 *commemorating the historic events that preceded*
24 *and are associated with the War of 1812;*

1 (B) facilitate the commemoration through-
2 out the United States and internationally;

3 (C) coordinate the activities of the Commis-
4 sion with State commemoration commissions, the
5 National Park Service, the Department of De-
6 fense, and other appropriate Federal agencies;

7 (D) encourage civic, patriotic, historical,
8 educational, religious, economic, tourism, and
9 other organizations throughout the United States
10 to organize and participate in the commemora-
11 tion to expand the understanding and apprecia-
12 tion of the significance of the War of 1812;

13 (E) provide technical assistance to States,
14 localities, units of the National Park System,
15 and nonprofit organizations to further the com-
16 memoration and commemorative events;

17 (F) coordinate and facilitate scholarly re-
18 search on, publication about, and interpretation
19 of the people and events associated with the War
20 of 1812;

21 (G) design, develop, and provide for the
22 maintenance of an exhibit that will travel
23 throughout the United States during the com-
24 memoration period to interpret events of the War

1 *of 1812 for the educational benefit of the citizens*
 2 *of the United States;*

3 *(H) ensure that War of 1812 commemora-*
 4 *tions provide a lasting legacy and long-term*
 5 *public benefit leading to protection of the nat-*
 6 *ural and cultural resources associated with the*
 7 *War of 1812; and*

8 *(I) examine and review essential facilities*
 9 *and infrastructure at War of 1812 sites and*
 10 *identify possible improvements that could be*
 11 *made to enhance and maximize visitor experi-*
 12 *ence at the sites.*

13 *(2) STRATEGIC PLAN; ANNUAL PERFORMANCE*
 14 *PLANS.—The Commission shall prepare a strategic*
 15 *plan and annual performance plans for any activity*
 16 *carried out by the Commission under this section.*

17 *(3) REPORTS.—*

18 *(A) ANNUAL REPORT.—The Commission*
 19 *shall submit to Congress an annual report that*
 20 *contains a list of each gift, bequest, or devise to*
 21 *the Commission with a value of more than \$250,*
 22 *together with the identity of the donor of each*
 23 *gift, bequest, or devise.*

24 *(B) FINAL REPORT.—Not later than Sep-*
 25 *tember 30, 2015, the Commission shall submit to*

1 *the Secretary and Congress a final report that*
2 *includes—*

3 *(i) a summary of the activities of the*
4 *Commission;*

5 *(ii) a final accounting of any funds re-*
6 *ceived or expended by the Commission; and*

7 *(iii) the final disposition of any his-*
8 *torically significant items acquired by the*
9 *Commission and other properties not pre-*
10 *viously reported.*

11 *(f) POWERS.—*

12 *(1) IN GENERAL.—The Commission may—*

13 *(A) solicit, accept, use, and dispose of gifts*
14 *or donations of money, services, and real and*
15 *personal property related to the commemoration*
16 *in accordance with Department of the Interior*
17 *and National Park Service written standards for*
18 *accepting gifts from outside sources;*

19 *(B) appoint such advisory committees as*
20 *the Commission determines to be necessary to*
21 *carry out this section;*

22 *(C) authorize any member or employee of*
23 *the Commission to take any action the Commis-*
24 *sion is authorized to take under this section;*

1 (D) use the United States mails in the same
2 manner and under the same conditions as other
3 agencies of the Federal Government; and

4 (E) make grants to communities, nonprofit,
5 commemorative commissions or organizations,
6 and research and scholarly organizations to de-
7 velop programs and products to assist in re-
8 searching, publishing, marketing, and distrib-
9 uting information relating to the commemora-
10 tion.

11 (2) *LEGAL AGREEMENTS.*—

12 (A) *IN GENERAL.*—In carrying out this sec-
13 tion, the Commission may—

14 (i) procure supplies, services, and
15 property; and

16 (ii) make or enter into contracts,
17 leases, or other legal agreements.

18 (B) *LENGTH.*—Any contract, lease, or other
19 legal agreement made or entered into by the
20 Commission shall not extend beyond the date of
21 termination of the Commission.

22 (3) *INFORMATION FROM FEDERAL AGENCIES.*—

23 (A) *IN GENERAL.*—The Commission may se-
24 cure directly from a Federal agency such infor-

1 *mation as the Commission considers necessary to*
2 *carry out this section.*

3 *(B) PROVISION OF INFORMATION.—On re-*
4 *quest of the Chairperson of the Commission, the*
5 *head of the agency shall provide the information*
6 *to the Commission in accordance with applicable*
7 *laws.*

8 *(4) FACA NONAPPLICABILITY.—Section 14(b) of*
9 *the Federal Advisory Committee Act (5 U.S.C. App.)*
10 *shall not apply to the Commission.*

11 *(5) NO EFFECT ON AUTHORITY.—Nothing in this*
12 *section supersedes the authority of the States or the*
13 *National Park Service concerning the commemora-*
14 *tion.*

15 *(g) PERSONNEL MATTERS.—*

16 *(1) MEMBERS OF THE COMMISSION.—*

17 *(A) IN GENERAL.—Except as provided in*
18 *paragraph (3)(A), a member of the Commission*
19 *shall serve without compensation.*

20 *(B) TRAVEL EXPENSES.—A member of the*
21 *Commission shall be allowed travel expenses, in-*
22 *cluding per diem in lieu of subsistence, at rates*
23 *authorized for an employee of an agency under*
24 *subchapter I of chapter 57 of title 5, United*
25 *States Code, while away from the home or reg-*

1 ular place of business of the member in the per-
2 formance of the duties of the Commission.

3 (C) STATUS.—A member of the Commis-
4 sion, who is not otherwise a Federal employee,
5 shall be considered a Federal employee only for
6 purposes of the provisions of law related to eth-
7 ics, conflicts of interest, corruption, and any
8 other criminal or civil statute or regulation gov-
9 erning the conduct of Federal employees.

10 (2) EXECUTIVE DIRECTOR AND OTHER STAFF.—

11 (A) IN GENERAL.—The Chairperson of the
12 Commission may, without regard to the provi-
13 sions of title 5, United States Code, governing
14 appointments in the competitive service and ter-
15 mination of employees (including regulations),
16 appoint and terminate an executive director,
17 subject to confirmation by the Commission, and
18 appoint and terminate such other additional
19 personnel as are necessary to enable the Commis-
20 sion to perform the duties of the Commission.

21 (B) STATUS.—The Executive Director and
22 other staff appointed under this paragraph shall
23 be considered Federal employees under section
24 2105 of title 5, United States Code, notwith-
25 standing the requirements of such section.

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

5 (D) *COMPENSATION.*—

6 (i) *IN GENERAL.*—*Except as provided*
 7 *in clause (ii), the Chairperson of the Com-*
 8 *mission may fix the compensation of the ex-*
 9 *ecutive director and other personnel without*
 10 *regard to the provisions of chapter 51 and*
 11 *subchapter III of chapter 53 of title 5,*
 12 *United States Code, relating to classifica-*
 13 *tion of positions and General Schedule pay*
 14 *rates.*

15 (ii) *MAXIMUM RATE OF PAY.*—*The rate*
 16 *of basic pay for the executive director and*
 17 *other personnel shall not exceed the rate*
 18 *payable for level V of the Executive Sched-*
 19 *ule under section 5316 of title 5, United*
 20 *States Code.*

21 (3) *GOVERNMENT EMPLOYEES.*—

22 (A) *FEDERAL EMPLOYEES.*—

23 (i) *SERVICE ON COMMISSION.*—*A mem-*
 24 *ber of the Commission who is an officer or*
 25 *employee of the Federal Government shall*

1 *serve without compensation in addition to*
2 *the compensation received for the services of*
3 *the member as an officer or employee of the*
4 *Federal Government.*

5 (ii) *DETAIL.—At the request of the*
6 *Commission, the head of any Federal agen-*
7 *cy may detail, on a reimbursable or non-*
8 *reimbursable basis, any of the personnel of*
9 *the agency to the Commission to assist the*
10 *Commission in carrying out the duties of*
11 *the Commission under this section.*

12 (iii) *CIVIL SERVICE STATUS.—Notwith-*
13 *standing any other provisions in this sub-*
14 *section, Federal employees who serve on the*
15 *Commission, are detailed to the Commis-*
16 *sion, or otherwise provide services under*
17 *this section, shall continue to be Federal*
18 *employees for the purpose of any law spe-*
19 *cific to Federal employees, without inter-*
20 *ruption or loss of civil service status or*
21 *privilege.*

22 (B) *STATE EMPLOYEES.—The Commission*
23 *may—*

24 (i) *accept the services of personnel de-*
25 *tailed from States (including subdivisions of*

1 *States) under subchapter VI of chapter 33 of*
2 *title 5, United States Code; and*

3 (ii) reimburse States for services of de-
4 tailed personnel.

5 (4) *MEMBERS OF ADVISORY COMMITTEES.—*
6 *Members of advisory committees appointed under sub-*
7 *section (f)(1)(B)—*

8 (A) shall not be considered employees of the
9 Federal Government by reason of service on the
10 committees for the purpose of any law specific to
11 Federal employees, except for the purposes of
12 chapter 11 of title 18, United States Code, relat-
13 ing to conflicts of interest; and

14 (B) may be paid travel expenses, including
15 per diem in lieu of subsistence, at rates author-
16 ized for an employee of an agency under sub-
17 chapter I of chapter 57 of title 5, United States
18 Code, while away from the home or regular place
19 of business of the member in the performance of
20 the duties of the committee.

21 (5) *VOLUNTEER AND UNCOMPENSATED SERV-*
22 *ICES.—Notwithstanding section 1342 of title 31,*
23 *United States Code, the Commission may accept and*
24 *use such voluntary and uncompensated services as the*
25 *Commission determines necessary.*

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

5 (7) *PROCUREMENT OF TEMPORARY AND INTER-*
 6 *MITTENT SERVICES.*—*The Chairperson of the Com-*
 7 *mission may employ experts and consultants on a*
 8 *temporary or intermittent basis in accordance with*
 9 *section 3109(b) of title 5, United States Code, at rates*
 10 *for individuals that do not exceed the daily equivalent*
 11 *of the annual rate of basic pay prescribed for level V*
 12 *of the Executive Schedule under section 5316 of that*
 13 *title. Such personnel shall be considered Federal em-*
 14 *ployees under section 2105 of title 5, United States*
 15 *Code, notwithstanding the requirements of such sec-*
 16 *tion.*

17 (h) *AUTHORIZATION OF APPROPRIATIONS.*—

18 (1) *IN GENERAL.*—*There are authorized to be ap-*
 19 *propriated to carry out this section not to exceed*
 20 *\$500,000 for each of fiscal years 2008 through 2015.*

21 (2) *AVAILABILITY OF FUNDS.*—*Amounts appro-*
 22 *priated under this subsection for any fiscal year shall*
 23 *remain available until December 31, 2015.*

24 (i) *TERMINATION OF COMMISSION.*—

1 (1) *IN GENERAL.*—*The Commission shall termi-*
2 *nate on December 31, 2015.*

3 (2) *TRANSFER OF MATERIALS.*—*Not later than*
4 *the date of termination, the Commission shall transfer*
5 *any documents, materials, books, manuscripts, mis-*
6 *cellaneous printed matter, memorabilia, relics, exhib-*
7 *its, and any materials donated to the Commission*
8 *that relate to the War of 1812, to Fort McHenry Na-*
9 *tional Monument and Historic Shrine.*

10 (3) *DISPOSITION OF FUNDS.*—*Any funds held by*
11 *the Commission on the date of termination shall be*
12 *deposited in the general fund of the Treasury.*

13 (4) *ANNUAL AUDIT.*—*The Inspector General of*
14 *the Department of the Interior shall perform an an-*
15 *nual audit of the Commission, shall make the results*
16 *of the audit available to the public, and shall trans-*
17 *mit such results to the Committee on Oversight and*
18 *Government Reform of the House of Representatives*
19 *and the Committee on the Judiciary of the Senate.*

Calendar No. 965

110TH CONGRESS
2^D Session

H. R. 5235

AN ACT

To establish the Ronald Reagan Centennial
Commission.

SEPTEMBER 15, 2008

Reported with an amendment