

organizations such as the American Federation of Government Employees, the National Association of Government Employees, and the International Association of Fire Chiefs.

According to the Congressional Budget Office, this legislation will save taxpayers more than \$4 million over the next four years. Federal firefighting capabilities are being sorely tested; we need to make it possible for agencies to retain experienced, qualified firefighters.

"The Federal Firefighters Retirement Age Fairness Act" was the first bill the House of Representatives passed unanimously this year. I am pleased my colleagues here in the Senate chose to support this important legislation, as well.

COMMISSION ON THE BICENTENNIAL OF THE LOUISIANA PURCHASE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 117, S. 356.

The PRESIDENT pro tempore. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 356) to establish a National Commission on the Bicentennial of the Louisiana Purchase.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Louisiana Purchase Bicentennial Commission Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) the Bicentennial of the Louisiana Purchase occurs in 2003, 200 years after the United States, under the leadership of President Thomas Jefferson and after due consideration and approval by Congress, paid \$15,000,000 to France in order to acquire the vast area in the western half of the Mississippi River Basin;

(2) the Louisiana Purchase was the largest peaceful land transaction in history, virtually doubling the size of the United States;

(3) the Louisiana Purchase opened the heartland of the North American continent for exploration, settlement, and achievement to the people of the United States;

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

(5) today the States of Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming make up what was the Louisiana Territory; and

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

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

(B) provide lessons for continued democratic governance in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) BICENTENNIAL.—The term "Bicentennial" means the 200th anniversary of the Louisiana Purchase.

(2) COMMISSION.—The term "Commission" means the National Commission on the Bicentennial of the Louisiana Purchase established under section 4(a).

SEC. 4. ESTABLISHMENT OF COMMISSION.

(a) ESTABLISHMENT.—There is established a commission to be known as the "National Commission on the Bicentennial of the Louisiana Purchase".

(b) DUTIES.—The Commission shall plan, encourage, coordinate, and conduct the commemoration of the Bicentennial.

(c) MEMBERSHIP.—

(1) NUMBERS AND APPOINTMENT.—The Commission shall be composed of 20 members, including—

(A) 14 members consisting of the governor, or their designee, of each State that made up the Louisiana Territory;

(B) the Director of the National Museum of American History of the Smithsonian Institution or his designee;

(C) the Librarian of Congress or his designee;

(D) as chosen by the Commission, the president or head of 2 United States historical societies, foundations, or organizations of National stature or prominence;

(E) the Secretary of Education or his designee; and

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

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

(3) DATE OF APPOINTMENTS.—The appointment of a member of the Commission described in paragraph (1) shall be made not later than 120 days after the date of enactment of this Act.

(d) TERM; VACANCIES.—

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

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

(A) shall not affect the powers of the Commission; and

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

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

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

(g) QUORUM.—A quorum of the Commission for decision-making purposes shall be 11 members, except that a lesser number of members, as determined by the Commission, may conduct meetings.

(h) CHAIRPERSON.—The Commission shall select a Chairperson of the Commission from the members designated under subsection (c)(1). The Chairperson may be removed by a vote of a majority of the Commission's members.

SEC. 5. DUTIES.

(a) IN GENERAL.—The Commission shall—

(1) plan and develop activities appropriate to commemorate the Bicentennial including a limited number of proposed projects to be undertaken by the appropriate Federal departments and agencies that commemorate the Bicentennial by seeking to harmonize and balance the important goals of ceremony and celebration with the equally important goals of scholarship and education;

(2) consult with and encourage Indian tribes, appropriate Federal departments and agencies, State and local governments, elementary and secondary schools, colleges and universities, foreign governments, and private organizations to organize and participate in Bicentennial activities commemorating or examining—

(A) the history of the Louisiana Territory;

(B) the negotiations of the Louisiana Purchase;

(C) voyages of discovery;

(D) frontier movements; and

(E) the westward expansion of the United States;

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

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

(b) REPORTS.—

(1) IN GENERAL.—Not later than 1 year before the Bicentennial date, the Commission shall submit to the President and Congress a comprehensive report that includes specific recommendations for—

(A) the allocation of financial and administrative responsibility among participating entities and persons with respect to commemoration of the Bicentennial; and

(B) the commemoration of the Bicentennial and related events through programs and activities, such as—

(i) the production, publication, and distribution of books, pamphlets, films, electronic publications, and other educational materials focusing on the history and impact of the Louisiana Purchase on the United States and the world;

(ii) bibliographical and documentary projects, publications, and electronic resources;

(iii) conferences, convocations, lectures, seminars, and other programs;

(iv) the development of programs by and for libraries, museums, parks and historic sites, including international and national traveling exhibitions;

(v) ceremonies and celebrations commemorating specific events;

(vi) the production, distribution, and performance of artistic works, and of programs and activities, focusing on the international and national significance of the Louisiana Purchase and the westward movement opening the frontier for present and future generations; and

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

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

(A) recommendations regarding appropriate activities to commemorate the centennial of the Louisiana Purchase, including—

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

(ii) bibliographical and documentary projects and publications;

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

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

(v) ceremonies and celebrations commemorating specific events that relate to the Louisiana Purchase;

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

(vii) competitions, commissions, and awards regarding historical, scholarly, artistic, literary, musical, and other works, programs, and projects related to the centennial of the Louisiana Purchase;

(B) 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 the Louisiana Purchase;

(C) recommendations for any legislation or administrative action that the Commission determines to be appropriate regarding the commemoration of the centennial of the Louisiana Purchase;

(D) an accounting of funds received and expended 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; and

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

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

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

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

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

(D) specific recommendations concerning the final disposition of any historically significant items acquired by the Commission, including items donated to the Commission.

(c) **ASSISTANCE.**—In carrying out this Act, the Commission shall consult, cooperate with, and seek advice and assistance from appropriate Federal departments and agencies.

SEC. 6. POWERS OF THE COMMISSION.

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

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

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

(3) a Bicentennial calendar or register of programs and projects, and in other ways provide a central clearinghouse for information and coordination regarding dates, events, places, documents, artifacts, and personalities of Bicentennial historical and commemorative significance; and

(4) the design and designation of logos, symbols, or marks for use in connection with the commemoration of the Bicentennial shall establish procedures regarding their use.

(b) **FEDERAL COOPERATION.**—To ensure the overall success of the Commission's efforts, the Commission may call upon various Federal departments and agencies to assist in and give support to the programs of the Commission. The head of the Federal department or agency, where appropriate, shall furnish the information or assistance requested by the Commission, unless prohibited by law.

(c) **PROHIBITION OF PAY OTHER THAN TRAVEL EXPENSES.**—Members of an advisory committee or task force of the Commission shall not receive pay, but may receive travel expenses pursuant to policies adopted by the Commission. Members who are Federal employees shall not receive travel expenses if otherwise reimbursed by the Federal Government.

(d) **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.

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

(1) **IN GENERAL.**—Notwithstanding any other provision in this Act, only 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) **IN GENERAL.**—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.

(B) **FEDERAL SUPPORT.**—The Commission shall obtain property, equipment, and office space

from the General Services Administration or the Smithsonian Institution, unless other office space, property, or equipment is less costly.

(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 become the property of the General Services Administration upon the date of termination.

(f) **ADVISORY COMMITTEE.**—The Commission may appoint such advisory committees as the Commission determines necessary to carry out the purposes of this Act.

SEC. 7. ADMINISTRATION.

(a) **LOCATION OF OFFICE.**—

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

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

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

(c) **STAFF.**—The Commission may appoint and fix the pay of any additional personnel that it considers appropriate, except that an individual appointed under this subsection may not receive pay in excess of the maximum rate of basic pay payable for GS-14 of the General Schedule.

(d) **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 under subsections (a) and (b) of this section.

(e) **MERIT SYSTEM PRINCIPLES.**—The appointment of the Executive Director or any personnel of the Commission under subsection (a) or (b) shall be made consistent with the merit system principles under section 2301 of title 5, United States Code.

(f) **STAFF OF FEDERAL AGENCIES.**—Upon request by the Chairperson of the Commission, the head of any Federal department or agency may detail, on either a nonreimbursable or 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.

(g) **ADMINISTRATIVE SUPPORT SERVICES.**—The Secretary of the Smithsonian Institution may provide to the Commission on a reimbursable basis any administrative support services that are necessary to enable the Commission to carry out this Act.

(h) **COOPERATIVE AGREEMENTS.**—The Commission may enter into cooperative agreements with other Federal agencies, State and local governments, and nonprofit organizations that will contribute to public awareness of and interest in the centennial of the Louisiana Purchase and toward furthering the goals and purposes of this Act.

(i) **PROGRAM SUPPORT.**—The Commission may receive program support from the nonprofit sector.

(j) **MEMBERS' COMPENSATION.**—

(1) **IN GENERAL.**—A member of the Commission shall serve without compensation.

(2) **TRAVEL EXPENSES.**—The Commission may adopt a policy, only by unanimous vote, for members of the Commission and related advisory panels to receive travel expenses, including per diem in lieu of subsistence. The policy may not exceed the levels established under sections 5702

and 5703 of title 5, United States Code. Members who are Federal employees shall not receive travel expenses if otherwise reimbursed by the Federal Government.

(k) **OTHER REVENUES AND EXPENDITURES.**—The Commission may procure supplies, services, and property, enter into contracts, and expend funds appropriated, donated, or received to carry out contracts.

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

SEC. 8. CONTRIBUTIONS.

(a) **DONATIONS.**—The Commission may solicit, accept, and use donations of money, property, or personal services and historic materials relating to the implementation of its responsibilities under the provisions of this Act. The Commission shall not accept donations the value of which exceeds—

(1) \$50,000 annually with respect to an individual; and

(2) \$250,000 annually with respect to any person other than an individual.

(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 funds (including funds received from licensing royalties) remaining with 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 under section 10(b), of historically significant property which was donated to or acquired by the Commission. Any 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.

(d) **ACQUIRED ITEMS.**—Any book, manuscript, miscellaneous printed matter, memorabilia, relic, and other material or property relating to the time period of the Louisiana Purchase acquired by the Commission may be deposited for preservation in national, State, or local libraries, museums, archives, or other agencies with the consent of the depository institution.

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 Bicentennial of the Louisiana Purchase.

(b) **LICENSING.**—The Commission shall have the sole and exclusive right to use, or to allow or refuse the use of, the name "National Commission on the Bicentennial of the Louisiana Purchase" on any logo, emblem, seal, or descriptive or designating mark that the Commission lawfully adopts.

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

(d) **USE OF FUNDS.**—Funds from licensing royalties received pursuant to this section shall be used by the Commission to carry out the duties of the Commission specified by this Act.

(e) **LICENSING RIGHTS.**—All exclusive licensing rights, unless otherwise specified, shall revert to the National Museum of American History upon termination of the Commission.

SEC. 10. AUDIT OF FINANCIAL TRANSACTIONS.

(a) **IN GENERAL.**—

(1) **AUDIT.**—The Comptroller General of the United States shall audit on an annual basis the financial transactions of the Commission, including financial transactions involving donated funds, in accordance with generally accepted auditing standards.

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

(A) 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

(B) shall be afforded full facilities for verifying the financial transactions of the Commission, including access to any financial records or securities held for the Commission by depositories, fiscal agents, or custodians.

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

SEC. 11. TERMINATION OF THE COMMISSION.

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

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—Subject to subsections (b) and (c), there are authorized to be appropriated to carry out the purposes of this Act \$250,000 for each of the fiscal years 2002, 2003, and 2004.

(b) **AVAILABILITY OF FUNDS.**—Amounts appropriated under this section for any fiscal year shall remain available until March 31, 2004.

Ms. LANDRIEU. Mr. President, today I rise to urge passage of the Louisiana Purchase Bicentennial Commission Act. This legislation creates a commission to celebrate the 200th anniversary of the Louisiana Purchase. I am honored to have sponsored this legislation with Senators BREAUX, LINCOLN, HUTCHINSON, DOMENICI, BAUCUS, and HATCH. The passage of this legislation voices appropriate celebration on the value of the United States' peaceful expansion westward.

The Louisiana Purchase cost the United States \$15 million but it doubled the size of the country overnight and brought vast natural resources that had been as yet untapped. To quote Tallyrand, "You have made a noble bargain for yourselves and I suppose you will make the most of it." For the United States, it was only the beginning of an expansion that would stretch from the Atlantic Ocean to the Pacific Ocean.

All or part of 15 States were created from the land acquired in this purchase. It made possible the travels of Lewis and Clark, whose invaluable insight into the peoples and land beyond the Mississippi River emboldened many Americans to search for a new life out West. Around the world, the American Frontier became synonymous with the search for spiritual, economic, and political freedom. The Louisiana Purchase helped shape the American destiny. Commemoration of the Louisiana Purchase and the related opening of the West can enhance public understanding of the impact of the democratic westward expansion on American society.

This bill creates a Commission that will edify, publish, and display the importance of the Louisiana Purchase to all Americans. This bipartisan commission is partially modeled after the celebration of the American Bicentennial—striving to be inclusive of Americans. The commission will include important officials from each state created from the Purchase, museum and education

officials, as well as members of Native American Tribes originating on the lands included in the Purchase. These officials will work together to recommend, organize, and oversee the 200th anniversary of the Louisiana Purchase. Commission tasks include planning the issuance of coins, stamps, medals, and certificates of recognition. Under a coordinated effort with libraries, museums, and historical sites, they will develop education programs for exhibit and display. The commission will produce and publish educational materials focusing on the history and the impact of the Louisiana Purchase. This is certainly not an exhaustive list, the commission will be tasked with many efforts, but, it is an insight into the important role that the commission will fulfill.

I thank the Judiciary Committee in their preparation and passage of this bill. Together, the chairman and the ranking member of the Judiciary Committee were incredibly supportive. This was truly a bipartisan effort. I thank my colleagues for recognizing the great value of honoring this momentous occasion, and together, as Americans, we can celebrate the breadth and distance of our Nation's vision.

Mr. REID. Mr. President, I ask unanimous consent that the committee amendment be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, with no intervening action, and that any statements relating to the bill be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the several requests are agreed to.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 356), as amended, was read the third time and passed.

ESTABLISHING A COMMISSION FOR COMMEMORATION OF 50TH ANNIVERSARY OF SUPREME COURT DECISION IN BROWN V. BOARD OF EDUCATION

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 120, H.R. 2133.

The PRESIDENT pro tempore. The clerk will read the title of the bill.

The legislative clerk read as follows:

A bill (H.R. 2133) to establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*.

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on the Judiciary with amendments, as follows:

[Omit the parts in black brackets and insert the part printed in italic.]

H.R. 2133

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

SECTION 1. FINDINGS.

The Congress finds that as the Nation approaches May 17, 2004, marking the 50th anniversary of the Supreme Court decision in *Oliver L. Brown et al. v. Board of Education of Topeka, Kansas et al.*, it is appropriate to establish a national commission to plan and coordinate the commemoration of that anniversary.

SEC. 2. ESTABLISHMENT.

There is established a commission to be known as the "Brown v. Board of Education 50th Anniversary Commission" (referred to in this Act as the "Commission").

SEC. 3. DUTIES.

In order to commemorate the 50th anniversary of the *Brown* decision, the Commission shall—

(1) in conjunction with the Department of Education, plan and coordinate public education activities and initiatives, including public lectures, writing contests, and public awareness campaigns, through the Department of Education's ten regional offices; and

(2) in cooperation with the Brown Foundation for Educational Equity, Excellence, and Research in Topeka, Kansas (referred to in this Act as the "Brown Foundation"), and such other public or private entities as the Commission considers appropriate, encourage, plan, develop, and coordinate observances of the anniversary of the *Brown* decision.

SEC. 4. MEMBERSHIP.

(a) **NUMBER AND APPOINTMENT.**—The Commission shall be composed as follows:

(1) Two representatives of the Department of Education appointed by the Secretary of Education, one of whom shall serve as [Chair] one of two Co-chairpersons of the Commission.

(2) Two representatives of the Department of Justice appointed by the Attorney General, one of whom shall serve as one of two Co-chairpersons of the Commission.

[(2)] (3) Eleven individuals appointed by the President after receiving recommendations as follows:

[(A) Members of the Senate from each of the States in which the lawsuits decided by the *Brown* decision were originally filed, Delaware, Kansas, South Carolina, and Virginia, and from the State of the first legal challenge, Massachusetts, shall jointly recommend to the President one individual from their respective States.

[(B) Members of the House of Representatives from each of the States referred to in subparagraph (A) shall jointly recommend to the President one individual from their respective States.]

(A)(i) The Members of the Senate from each State described in clause (iii) shall each submit the name of 1 individual from the State to the majority leader and minority leader of the Senate.

(ii) After review of the submissions made under clause (i), the majority leader of the Senate, in consultation with the minority leader of the Senate, shall recommend to the President 5 individuals, 1 from each of the States described in clause (iii).

(iii) The States described in this clause are the States in which the lawsuits decided by the *Brown* decision were originally filed (Delaware, Kansas, South Carolina, and Virginia), and the State of the first legal challenge involved (Massachusetts).

(B)(i) The Members of the House of Representatives from each State described in subparagraph (A)(iii) shall each submit the name of 1 individual from the State to the Speaker of the House of Representatives and the minority leader of the House of Representatives.

(ii) After review of the submissions made under clause (i), the Speaker of the House of Representatives, in consultation with the minority leader of the House of Representatives, shall