

Public Law 100-365
100th Congress

An Act

To amend chapter 25 of title 44, United States Code, to provide an authorization for the National Historical Publications and Records Commission programs, and for other purposes.

July 13, 1988

[S. 1856]

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Historical Publications and Records Commission Amendments of 1988".

SEC. 2. MEMBERSHIPS AND TERMS OF MEMBERS OF COMMISSION.

(a) MEMBERSHIP.—Section 2501 of title 44, United States Code, is amended to read as follows:

National
Historical
Publications and
Records
Commission
Amendments of
1988.
44 USC 101 note.

"§ 2501. Creation; composition; appointment and tenure; meetings

"(a) The National Historical Publications and Records Commission shall consist of 15 members as follows:

"(1) the following ex officio members:

"(A) the Archivist of the United States, who shall be chairman;

"(B) the Librarian of Congress (or an alternate designated by the Librarian);

"(C) one Senator, appointed by the President of the Senate;

"(D) one Representative, appointed by the Speaker of the House of Representatives;

"(E) one member of the judicial branch of the Government, appointed by the Chief Justice of the United States;

"(F) one representative of the Department of State to be appointed by the Secretary of State; and

"(G) one representative of the Department of Defense to be appointed by the Secretary of Defense;

"(2) one member from each of the following organizations, appointed by the governing council or board of the respective organization:

"(A) the American Historical Association;

"(B) the Organization of American Historians;

"(C) the Society of American Archivists;

"(D) the American Association for State and Local History;

"(E) the Association for Documentary Editing; and

"(F) the National Association for Government Archives and Records Administrators; and

"(3) two other members, outstanding in the fields of the social or physical sciences, the arts, or archival or library science, appointed by the President of the United States.

"(b)(1) The members appointed under subsection (a) shall be appointed for terms of 4 years, except that—

“(A) a member appointed under subsection (a)(1)(D) shall be appointed for a term of 2 years; and

“(B) the Archivist and the Librarian of Congress are permanent ex officio members.

“(2) A member may continue to serve after the expiration of a term until a successor has been appointed, but not to exceed one year.

“(c) The Commission shall meet at least annually and at call of the Chairman.”

44 USC 2501
note.

(b) **EFFECTIVE DATE AND IMPLEMENTATION OF STAGGERING OF TERMS.**—The amendment made by this section shall be effective on January 1, 1989, and shall apply to the appointment of any member on the expiration of a predecessor's term as follows:

(1) The next two members appointed to such Commission after such date shall be appointed pursuant to section 2501(a)(2) (E) and (F) of title 44, United States Code, as amended by this section.

(2) Notwithstanding section 2501(b)(1), the first members appointed pursuant to section 2501(a)(2) (B) and (C) after January 1, 1991, shall be appointed for terms of one year.

SEC. 3. EXECUTIVE DIRECTOR, STAFF, TRANSPORTATION EXPENSES.

Section 2503 of title 44, United States Code, is amended to read as follows:

“§ 2503. Executive director, staff, transportation expenses

“(a) The Commission may appoint, without reference to chapter 51 of title 5, an executive director. The Chairman may appoint such other employees as may be necessary to carry out the purposes of this chapter.

“(b) Members of the Commission shall be allowed travel expenses (including per diem allowance in lieu of subsistence) in the same amount and to the same extent as persons serving intermittently in the Government service are allowed travel expenses under section 5703 of title 5, United States Code.”

SEC. 4. DUTIES AND FUNCTIONS.

Section 2504 of title 44, United States Code, is amended to read as follows:

“§ 2504. Duties; authorization of grants for historical publications and records programs; authorization for appropriations

“(a) The Commission shall make plans, estimates, and recommendations for historical works and collections of sources it considers appropriate for preserving, publishing or otherwise recording at the public expense. The Chairman of the Commission shall transmit to the President and the Congress from time to time, and at least biennially, the plans, estimates, and recommendations developed and approved by the Commission.

“(b) The Commission shall cooperate with, assist and encourage appropriate Federal, State, and local agencies and nongovernmental institutions, societies, and individuals in collecting and preserving and, when it considers it desirable, in editing and publishing papers of outstanding citizens of the United States, and other documents as may be important for an understanding and appreciation of the history of the United States.

“(c) The Commission may conduct institutes, training and educational programs, and recommend candidates for fellowships related to the activities of the Commission and may disseminate information about documentary sources through guides, directories, and other technical publications.

“(d) The Commission may recommend the expenditure of appropriated or donated funds for the collecting, describing, preserving, compiling and publishing (including microfilming and other forms of reproduction) of documentary sources significant to the history of the United States and for the activities described in subsection (c).

“(e) The Archivist of the United States may, within the limits of available appropriated and donated funds, make grants to State and local agencies and to nonprofit organizations, institutions, and individuals, for those activities in subsection (d) after considering the advice and recommendations of the Commission.

“(f)(1) For the purposes specified in this section, there is hereby authorized to be appropriated to the National Historical Publications and Records Commission—

“(A) \$6,000,000 for fiscal year 1989;

“(B) \$8,000,000 for fiscal year 1990; and

“(C) \$10,000,000 for each of the fiscal years 1991, 1992, and 1993.

“(2) Amounts appropriated under this subsection shall be available until expended when so provided in appropriation Acts.”.

SEC. 5. CONFORMING AMENDMENT.

The table of contents for chapter 25 of title 44, United States Code, is amended to read as follows:

“Sec.

“2501. Creation; composition; appointment and tenure; vacancies; meetings.

“2502. Vacancies.

“2503. Executive director; staff; transportation expenses.

“2504. Duties; authorization of grants for historical publications and records programs; authorization for appropriations.

“2505. Special advisory committees; membership; reimbursement.

“2506. Records to be kept by grantees.”.

Approved July 13, 1988.

LEGISLATIVE HISTORY—S. 1856 (H.R. 3933):

HOUSE REPORTS: No. 100-533 accompanying H.R. 3933 (Comm. on Government Operations).

SENATE REPORTS: No. 100-330 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 134 (1988):

Mar. 30, H.R. 3933 considered and passed House.

June 13, S. 1856 considered and passed Senate.

June 30, considered and passed House.