

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1586**

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**AN ACT**

To establish the New Orleans Jazz National Historical Park in the State of Louisiana; and for other purposes.

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## AN ACT

To establish the New Orleans Jazz National Historical Park  
in the State of Louisiana; 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 “New Orleans Jazz Na-  
5 tional Historical Park Act of 1994”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—The Congress finds that:

3 (1) Jazz is the United States' most widely rec-  
4 ognized indigenous music and art form. Congress  
5 previously recognized jazz in 1987 through Senate  
6 Concurrent Resolution 57 as a rare and valuable na-  
7 tional treasure of international importance.

8 (2) The city of New Orleans is widely recog-  
9 nized as the birthplace of jazz. In and around this  
10 city, cultural and musical elements blended to form  
11 the unique American music that is known as New  
12 Orleans jazz, which is an expression of the cultural  
13 diversity of the lower Mississippi Delta Region.

14 (3) Jean Lafitte National Historical Park and  
15 Preserve was established to commemorate the cul-  
16 tural diversity of the lower Mississippi Delta Region  
17 including a range of cultural expressions like jazz.

18 (b) PURPOSE.—In furtherance of the need to recog-  
19 nize the value and importance of jazz, it is the purpose  
20 of this Act to establish a New Orleans Jazz National His-  
21 torical Park to preserve the origins, early history, develop-  
22 ment and progression of jazz; provide visitors with oppor-  
23 tunities to experience the sights, sounds, and places where  
24 jazz evolved; and implement innovative ways of establish-  
25 ing jazz educational partnerships that will help to ensure

1 that jazz continues as a vital element of the culture of  
2 New Orleans and our Nation.

3 **SEC. 3. ESTABLISHMENT.**

4 (a) IN GENERAL.—In order to assist in the preserva-  
5 tion, education, and interpretation of jazz as it has evolved  
6 in New Orleans, and to provide technical assistance to a  
7 broad range of organizations involved with jazz music and  
8 its history, there is hereby established the New Orleans  
9 Jazz National Historical Park (hereinafter referred to as  
10 the “historical park”). The historical park shall be admin-  
11 istered in conjunction with the Jean Lafitte National His-  
12 torical Park and Preserve, which was established to pre-  
13 serve and interpret the cultural and natural resources of  
14 the lower Mississippi Delta Region.

15 (b) AREA INCLUDED.—The historical park shall con-  
16 sist of lands and interests therein as follows:

17 (1) Lands which the Secretary of the Interior  
18 (hereinafter referred to as “the Secretary”) may  
19 designate for an interpretive visitor center complex.

20 (2) Sites that are the subject of cooperative  
21 agreements with the National Park Service for the  
22 purposes of interpretive demonstrations and pro-  
23 grams associated with the purposes of this Act.

24 (3)(A) Sites designated by the Secretary as pro-  
25 vided in subparagraph (B).

1           (B)(i) No later than 18 months after the date  
2 of enactment of this Act, the Secretary is directed  
3 to complete a national historic landmark evaluation  
4 of sites associated with jazz in and around New Or-  
5 leans as identified in the document entitled “New  
6 Orleans Jazz Special Resource Study”, prepared by  
7 the National Park Service pursuant to Public Law  
8 101–499. In undertaking the evaluation, the Sec-  
9 retary shall, to the extent practicable, utilize existing  
10 information relating to such sites.

11           (ii) If any of the sites evaluated are found to  
12 meet the standards of the National Historic Land-  
13 mark program and National Park Service tests of  
14 suitability and feasibility, and offer outstanding op-  
15 portunities to further the purposes of this Act, the  
16 Secretary may designate such sites as part of the  
17 historical park, following consultation with the own-  
18 ers of such sites, the city of New Orleans, the  
19 Smithsonian Institution, and the New Orleans Jazz  
20 Commission, and notification to the Committee on  
21 Energy and Natural Resources of the United States  
22 Senate and the Committee on Natural Resources of  
23 the United States House of Representatives.

1 **SEC. 4. ADMINISTRATION.**

2 (a)(1) IN GENERAL.—The Secretary shall administer  
3 the historical park in accordance with this Act and with  
4 provisions of law generally applicable to units of the Na-  
5 tional Park System, including the Act entitled “An Act  
6 to establish a National Park Service, and for other pur-  
7 poses”, approved August 25, 1916 (39 Stat. 535; 16  
8 U.S.C. 1, 2–4); and the Act of August 21, 1935 (49 Stat.  
9 666; 16 U.S.C. 461–467). The Secretary shall manage the  
10 historical park in such a manner as will preserve and per-  
11 petuate knowledge and understanding of the history of  
12 jazz and its continued evolution as a true American art  
13 form.

14 (2) To minimize operational costs associated with the  
15 management and administration of the historical park and  
16 to avoid duplication of effort, the Secretary shall, to the  
17 maximum extent practicable, utilize the facilities, adminis-  
18 trative staff and other services of the Jean Lafitte Na-  
19 tional Historical Park and Preserve.

20 (b) DONATIONS.—The Secretary may accept and re-  
21 tain donations of funds, property, or services from individ-  
22 uals, foundations, corporations, or other public entities for  
23 the purposes of providing services, programs, and facilities  
24 that further the purposes of this Act.

25 (c) INTERPRETIVE CENTER.—The Secretary is au-  
26 thorized to construct, operate, and maintain an interpre-

1 tive center in the historical park on lands identified by  
2 the Secretary pursuant to section 3(b)(1). Programs at  
3 the center shall include, but need not be limited to, live  
4 jazz interpretive and educational programs, and shall pro-  
5 vide visitors with information about jazz-related programs,  
6 performances, and opportunities.

7 (d) JAZZ HERITAGE DISTRICTS.—The Secretary may  
8 provide technical assistance to the city of New Orleans and  
9 other appropriate entities for the designation of certain  
10 areas in and around New Orleans as jazz heritage dis-  
11 tricts. Such districts shall include those areas with an ex-  
12 ceptional concentration of jazz historical sites and estab-  
13 lished community traditions of jazz street parades.

14 (e) COOPERATIVE AGREEMENTS, GRANTS AND  
15 TECHNICAL ASSISTANCE.—In furtherance of the purposes  
16 of this Act—

17 (1) the Secretary, after consultation with the  
18 New Orleans Jazz Commission established pursuant  
19 to section 7, is authorized to enter into cooperative  
20 agreements with owners of properties that are des-  
21 ignated pursuant to section 3(b)(3) which provide  
22 outstanding educational and interpretive opportuni-  
23 ties relating to the evolution of jazz in New Orleans.  
24 The Secretary may assist in rehabilitating, restoring,  
25 marking, and interpreting and may provide technical

1 assistance for the preservation and interpretation of  
2 such properties. Such agreements shall contain, but  
3 need not be limited to, provisions that the National  
4 Park Service will have reasonable rights of access  
5 for operational and visitor use needs, that rehabilita-  
6 tion and restoration will meet the Secretary's stand-  
7 ards for rehabilitation of historic buildings, and that  
8 specify the roles and responsibilities of the Secretary  
9 for each site or structure;

10 (2) the Secretary is authorized to enter into co-  
11 operative agreements with the city of New Orleans,  
12 the State of Louisiana, and other appropriate public  
13 and private organizations under which the other par-  
14 ties to the agreement may contribute to the acquisi-  
15 tion, construction, operation, and maintenance of the  
16 interpretive center and to the operation of edu-  
17 cational and interpretive programs to further the  
18 purposes of this Act; and

19 (3) the Secretary, in consultation with the New  
20 Orleans Jazz Commission, is authorized to provide  
21 grants or technical assistance to public and private  
22 organizations.

23 (f) JAZZ EDUCATIONAL PROGRAMS.—The Secretary  
24 shall, in the administration of the historical park, promote  
25 a broad range of educational activities relating to jazz and

1 its history. The Secretary shall cooperate with schools,  
2 universities, and organizations supporting jazz education  
3 to develop educational programs that provide expanded  
4 public understanding of jazz and enhanced opportunities  
5 for public appreciation. The Secretary may assist appro-  
6 priate entities in the development of an information base  
7 including archival material, audiovisual records, and ob-  
8 jects that relate to the history of jazz.

9 **SEC. 5. ACQUISITION OF PROPERTY.**

10 (a) GENERAL AUTHORITY.—The Secretary may ac-  
11 quire lands and interests therein within the sites des-  
12 ignated pursuant to section 3(b)(1) and (3) by donation  
13 or purchase with donated or appropriated funds or long  
14 term lease: *Provided*, That sites designated pursuant to  
15 section 3(b)(3) shall only be acquired with the consent of  
16 the owner thereof.

17 (b) STATE AND LOCAL PROPERTIES.—Lands and in-  
18 terests in lands which are owned by the State of Louisi-  
19 ana, or any political subdivision thereof, may be acquired  
20 only by donation.

21 **SEC. 6. GENERAL MANAGEMENT PLAN.**

22 Within 3 years after the date funds are made avail-  
23 able therefor and concurrent with the national landmark  
24 study referenced in section 3(b)(3), the Secretary, in con-  
25 sultation with the New Orleans Jazz Commission, shall

1 prepare a general management plan for the historical  
2 park. The plan shall include, but need not be limited to—

3 (1) a visitor use plan indicating programs and  
4 facilities associated with park programs that will be  
5 made available to the public;

6 (2) preservation and use plans for any struc-  
7 tures and sites that are identified through the his-  
8 toric landmark study for inclusion within the histori-  
9 cal park;

10 (3) the location and associated cost of public fa-  
11 cilities that are proposed for inclusion within the his-  
12 torical park, including a visitor center;

13 (4) identification of programs that the Sec-  
14 retary will implement or be associated with through  
15 cooperative agreements with other groups and orga-  
16 nizations;

17 (5) a transportation plan that addresses visitor  
18 use access needs to sites, facilities, and programs  
19 central to the purpose of the historical park;

20 (6) plans for the implementation of an archival  
21 system for materials, objects, and items of impor-  
22 tance relating to the history of jazz; and

23 (7) guidelines for the application of cooperative  
24 agreements that will be used to assist in the man-  
25 agement of historical park facilities and programs.

1 **SEC. 7. ESTABLISHMENT OF THE NEW ORLEANS JAZZ**  
2 **COMMISSION.**

3 (a) ESTABLISHMENT.—To assist in implementing the  
4 purposes of this Act and the document entitled “New Or-  
5 leans Jazz Special Resource Study”, there is established  
6 the New Orleans Jazz Commission (hereinafter referred  
7 to as the “Commission”).

8 (b) MEMBERSHIP.—The Commission shall consist of  
9 17 members to be appointed no later than 6 months after  
10 the date of enactment of this Act. The Commission shall  
11 be appointed by the Secretary as follows:

12 (1) One member from recommendations submit-  
13 ted by the Mayor of New Orleans.

14 (2) Two members who have recognized exper-  
15 tise in music education programs that emphasize  
16 jazz.

17 (3) One member, with experience in and knowl-  
18 edge of tourism in the greater New Orleans area,  
19 from recommendations submitted by local busi-  
20 nesses.

21 (4) One member from recommendations submit-  
22 ted by the Board of the New Orleans Jazz and Her-  
23 itage Foundation.

24 (5) One member, with experience in and knowl-  
25 edge of historic preservation within the New Orleans  
26 area.

1           (6) Two members, one from recommendations  
2 submitted by the Secretary of the Smithsonian Insti-  
3 tution and one member from recommendations sub-  
4 mitted by the Chairman of the National Endowment  
5 of the Arts, who are recognized musicians with  
6 knowledge and experience in the development of jazz  
7 in New Orleans.

8           (7) Two members, one from recommendations  
9 submitted by the Secretary of the Smithsonian Insti-  
10 tution and one member from recommendations sub-  
11 mitted by the Director of the Louisiana State Mu-  
12 seum with recognized expertise in the interpretation  
13 of jazz history or traditions related to jazz in New  
14 Orleans.

15           (8) Two members who represent local neighbor-  
16 hood groups or other local associations; from rec-  
17 ommendations submitted by the Mayor of New  
18 Orleans.

19           (9) One member representing local mutual aid  
20 and benevolent societies as well as local social and  
21 pleasure clubs, from recommendations submitted by  
22 the Board of the New Orleans Jazz and Heritage  
23 Foundation.

24           (10) One member from recommendations sub-  
25 mitted by the Governor of the State of Louisiana,

1 who shall be a member of the Louisiana State Music  
2 Commission.

3 (11) One member representing the New Orleans  
4 Jazz Club from recommendations submitted by the  
5 club.

6 (12) One member who is a recognized local ex-  
7 pert on the history, development and progression of  
8 jazz in New Orleans and is familiar with existing ar-  
9 chival materials from recommendations submitted by  
10 the Librarian of Congress.

11 (13) The Director of the National Park Service,  
12 or the Director's designee, ex officio.

13 (c) DUTIES OF THE COMMISSION.—The Commission  
14 shall—

15 (1) advise the Secretary in the preparation of  
16 the general management plan for the historical park;  
17 assist in public discussions of planning proposals;  
18 and assist the National Park Service in working  
19 with individuals, groups, and organizations including  
20 economic and business interests in determining pro-  
21 grams in which the Secretary should participate  
22 through cooperative agreement;

23 (2) in consultation and cooperation with the  
24 Secretary, develop partnerships with educational

1 groups, schools, universities, and other groups to  
2 furtherance of the purposes of this Act;

3 (3) in consultation and cooperation with the  
4 Secretary, develop partnerships with city-wide orga-  
5 nizations, and raise and disperse funds for programs  
6 that assist mutual aid and benevolent societies, so-  
7 cial and pleasure clubs and other traditional groups  
8 in encouraging the continuation of and enhancement  
9 of jazz cultural traditions;

10 (4) acquire or lease property for jazz education,  
11 and advise on hiring brass bands and musical groups  
12 to participate in education programs and help train  
13 young musicians;

14 (5) in consultation and cooperation with the  
15 Secretary, provide recommendations for the location  
16 of the visitor center and other interpretive sites;

17 (6) assist the Secretary in providing funds to  
18 support research on the origins and early history of  
19 jazz in New Orleans; and

20 (7) notwithstanding any other provision of law,  
21 seek and accept donations of funds, property, or  
22 services from individuals, foundations, corporations,  
23 or other public or private entities and expend and  
24 use the same for the purposes of providing services,  
25 programs, and facilities for jazz education, or assist-

1 ing in the rehabilitation and restoration of struc-  
2 tures identified in the national historic landmark  
3 study referenced in section 3(b)(3) as having out-  
4 standing significance to the history of jazz in New  
5 Orleans.

6 (d) APPOINTMENT.—Members of the Commission  
7 shall be appointed for staggered terms of 3 years, as des-  
8 ignated by the Secretary at the time of the initial appoint-  
9 ment.

10 (e) CHAIRMAN.—The Commission shall elect a chair-  
11 man from among its members. The term of the chairman  
12 shall be for 3 years.

13 (f) TERMS.—Any member of the Commission ap-  
14 pointed by the Secretary for a 3-year term may serve after  
15 the expiration of his or her term until a successor is ap-  
16 pointed. Any vacancy shall be filled in the same manner  
17 in which the original appointment was made. Any member  
18 appointed to fill a vacancy shall serve for the remainder  
19 of the term for which the predecessor was appointed.

20 (g) PER DIEM EXPENSES.—Members of the Commis-  
21 sion shall serve without compensation. Members shall be  
22 entitled to travel expenses under section 5703, title 5,  
23 United States Code, when engaged in Commission busi-  
24 ness, including per diem in lieu of subsistence in the same  
25 manner as persons employed intermittently.

1       (h) ADMINISTRATIVE SUPPORT.—The Secretary shall  
2 provide the Commission with assistance in obtaining such  
3 personnel, equipment, and facilities as may be needed by  
4 the Commission to carry out its duties.

5       (i) ANNUAL REPORT.—The Commission shall submit  
6 an annual report to the Secretary identifying its expenses  
7 and income and the entities to which any grants or tech-  
8 nical assistance were made during the year for which the  
9 report is made.

10 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

11       There is authorized to be appropriated such sums as  
12 may be necessary to carry out this Act.

Passed the Senate April 12 (legislative day, April  
11), 1994.

Attest:

*Secretary.*

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