

Calendar No. 396

103^D CONGRESS
2^D SESSION

S. 1586

[Report No. 103-242]

A BILL

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

MARCH 25 (legislative day, FEBRUARY 22), 1994

Reported with an amendment

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[Report No. 103-242]

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 26 (legislative day, OCTOBER 13), 1993

Mr. JOHNSTON (for himself, Mr. BREAU, Ms. MOSELEY-BRAUN, and Mr. COCHRAN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MARCH 25 (legislative day, FEBRUARY 22), 1994

Reported by Mr. JOHNSTON, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

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 1993”.

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 recognized
9 as the birthplace of jazz. In and around this city,
10 cultural and musical elements blended to form the
11 unique American music that is known as New Orle-
12 ans jazz, which is an expression of the cultural di-
13 versity 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, together with associated educational pro-
22 grams, as a unit of the Jean Lafitte National Historical
23 Park and Preserve which is headquartered in New Orle-
24 ans, Louisiana. The historical park shall preserve the ori-
25 gins and early history of jazz; provide visitors with oppor-
26 tunities to experience the sights, sounds, and places where

1 jazz evolved; and implement innovative ways of establish-
2 ing jazz educational partnerships that will help to ensure
3 that jazz continues as a vital element of the culture of
4 New Orleans and our Nation.

5 **SEC. 3. ESTABLISHMENT.**

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

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

19 (1) lands which the Secretary of the Interior
20 (hereinafter referred to as “the Secretary”) may
21 designate for an interpretive visitor center complex;

22 (2) sites that are the subject of cooperative
23 agreements with the National Park Service for the
24 purposes of interpretive demonstrations and pro-
25 grams associated with the purposes of this Act; and

1 ~~(3)(A)~~ sites designated by the Secretary as pro-
2 vided in subparagraph ~~(B)~~.

3 ~~(B)(i)~~ The Secretary is directed to undertake a
4 national historic landmark evaluation of sites associ-
5 ated with jazz in and around New Orleans as identi-
6 fied in the document entitled “New Orleans Jazz
7 Special Resource Study”, prepared by the National
8 Park Service pursuant to Public Law 101-499. In
9 undertaking the evaluation, the Secretary shall, to
10 the extent practicable, utilize existing information
11 relating to such sites.

12 ~~(ii)~~ If any of the sites evaluated are found to
13 meet the standards of the National Historic Land-
14 mark program and National Park Service tests of
15 suitability and feasibility, and offer outstanding op-
16 portunities to further the purposes of this Act, the
17 Secretary may designate such sites as part of the
18 historical park, following consultation with the city
19 of New Orleans, the Smithsonian Institution, and
20 the Delta Region Preservation Commission, and no-
21 tification to the Committee on Energy and Natural
22 Resources of the United States Senate and the Com-
23 mittee on Natural Resources of the United States
24 House of Representatives.

1 **SEC. 4. ADMINISTRATION.**

2 (a) **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); the Act of August 21, 1935 (49 Stat. 666,
9 16 U.S.C. 461–467); and title IX of Public Law 95–625,
10 the enabling Act for Jean Lafitte National Historical Park
11 and Preserve, as amended (16 U.S.C. 230). The Secretary
12 shall manage the historical park in such a manner as will
13 preserve and perpetuate knowledge and understanding of
14 the history of jazz and its continued evolution as a true
15 American art form.

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

21 (c) **INTERPRETIVE CENTER.**—The Secretary is au-
22 thorized to lease, construct, operate, or maintain an inter-
23 pretive center in New Orleans. Programs at the center
24 may include live jazz interpretive and educational pro-
25 grams, and shall provide visitors with information about
26 jazz-related programs, performances, and opportunities.

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

8 (e) COOPERATIVE AGREEMENTS, GRANTS, AND
9 TECHNICAL ASSISTANCE.—In furtherance of the purposes
10 of this Act—

11 (1) the Secretary, after consultation with the
12 New Orleans Jazz Commission established pursuant
13 to section 7, is authorized to enter into cooperative
14 agreements with owners of properties that are des-
15 ignated pursuant to section 3(b)(3) which provide
16 outstanding educational and interpretive opportuni-
17 ties relating to the evolution of jazz in New Orleans.
18 The Secretary may assist in the rehabilitation and
19 restoration of, mark, interpret, and provide technical
20 assistance for the preservation and interpretation of
21 such properties. Such agreements shall contain, but
22 need not be limited to, provisions that the National
23 Park Service will have reasonable rights of access
24 for operational and visitor use needs, that rehabilita-
25 tion and restoration will meet the Secretary's stand-

1 ards for rehabilitation of historic buildings, and that
2 specify the roles and responsibilities of the Secretary
3 for each site or structure;

4 (2) the Secretary is authorized to enter into co-
5 operative agreements with the city of New Orleans,
6 the State of Louisiana, and other appropriate public
7 and private organizations under which the other par-
8 ties to the agreement may contribute to the acqui-
9 sition, construction, operation, and maintenance of the
10 interpretive center and to the operation of edu-
11 cational and interpretive programs to further the
12 purposes of this Act; and

13 (3) the Secretary, in consultation with the Com-
14 mission, is authorized to provide grants or technical
15 assistance to public and private organizations.

16 (f) JAZZ EDUCATIONAL PROGRAMS.—The Secretary
17 shall, in the administration of the historical park, promote
18 a broad range of educational activities relating to jazz and
19 its history. The Secretary shall cooperate with schools,
20 universities, and organizations supporting jazz education
21 to develop educational programs that provide expanded
22 public understanding of jazz and enhanced opportunities
23 for public appreciation. The Secretary may assist appro-
24 priate entities in the development of an information base

1 including archival material, audiovisual records, and ob-
 2 jects that relate to the history of jazz.

3 **SEC. 5. ACQUISITION OF PROPERTY.**

4 (a) GENERAL AUTHORITY.—The Secretary may ac-
 5 quire lands and interests therein within the sites des-
 6 ignated pursuant to section 3(b) (1) and (3) by donation
 7 or purchase with donated or appropriated funds: *Provided,*
 8 That sites designated pursuant to section 3(b)(3) shall
 9 only be acquired with the consent of the owner thereof.

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

14 **SEC. 6. GENERAL MANAGEMENT PLAN.**

15 Within 3 years after the date funds are made avail-
 16 able therefor and concurrent with the national landmark
 17 study referenced in section 3(b)(3), the Secretary, in con-
 18 sultation with the New Orleans Jazz Commission, shall
 19 prepare a general management plan for the historical
 20 park. The plan shall include, but need not be limited to—

21 (1) a visitor use plan indicating programs and
 22 facilities associated with park programs that will be
 23 made available to the public;

24 (2) preservation and use plans for any struc-
 25 tures and sites that are identified through the his-

1 (b) MEMBERSHIP.—The Commission shall consist of
2 15 members to be appointed no later than 6 months after
3 the date of enactment of this Act. The Commission shall
4 be appointed by the Secretary as follows:

5 (1) one member recommended by the Mayor of
6 New Orleans;

7 (2) two members who have recognized experi-
8 ence in music education programs that emphasize
9 jazz;

10 (3) one member, with experience and knowledge
11 of tourism in the greater New Orleans area, from
12 recommendations submitted by local businesses;

13 (4) one member recommended by the Board of
14 the New Orleans Jazz and Heritage Foundation;

15 (5) one member, with experience and knowledge
16 of historic preservation within the New Orleans area;

17 (6) two members who are recognized musicians
18 with knowledge and experience in the development of
19 jazz in New Orleans;

20 (7) one member with recognized expertise in
21 jazz and folklore preservation and interpretation,
22 recommended by the Director of the Louisiana State
23 Museum;

1 ~~(8)~~ two members who represent local neighbor-
2 hood groups or other local associations, rec-
3 ommended by the Mayor of New Orleans;

4 ~~(9)~~ one member representing local social and
5 pleasure clubs, recommended by the Mayor of New
6 Orleans;

7 ~~(10)~~ one member recommended by the Governor
8 of the State of Louisiana, who shall be a member of
9 the Louisiana State Music Commission;

10 ~~(11)~~ the Chairman of the Delta Regional Pres-
11 ervation Commission, ex officio; and

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

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

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

24 ~~(2)~~ in consultation and cooperation with the
25 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 in en-
7 couraging the continuation of and enhancement of
8 jazz cultural traditions;

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

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

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

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

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

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

9 (e) CHAIRMAN.—The Commission shall elect a chair-
10 man from among its members. The term of the chairman
11 shall be for 3 years. The Chairman of the Commission
12 shall serve as an ex-officio member of the Delta Regional
13 Preservation Commission.

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

21 (g) PER DIEM EXPENSES.—Members of the Commis-
22 sion shall serve without compensation. Members shall be
23 entitled to travel expenses under section 5703, title 5,
24 United States Code, when engaged in Commission busi-

1 ness, including per diem in lieu of subsistence in the same
2 manner as persons employed intermittently.

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

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

12 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

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

15 **SECTION 1. SHORT TITLE.**

16 *This Act may be cited as the “New Orleans Jazz Na-*
17 *tional Historical Park Act of 1994”.*

18 **SEC. 2. FINDINGS AND PURPOSE.**

19 (a) FINDINGS.—*The Congress finds that:*

20 (1) *Jazz is the United States’ most widely recog-*
21 *nized indigenous music and art form. Congress pre-*
22 *viously recognized jazz in 1987 through Senate Con-*
23 *current Resolution 57 as a rare and valuable national*
24 *treasure of international importance.*

1 (2) *The city of New Orleans is widely recognized*
2 *as the birthplace of jazz. In and around this city, cul-*
3 *tural and musical elements blended to form the*
4 *unique American music that is known as New Or-*
5 *leans jazz, which is an expression of the cultural di-*
6 *versity of the lower Mississippi Delta Region.*

7 (3) *Jean Lafitte National Historical Park and*
8 *Preserve was established to commemorate the cultural*
9 *diversity of the lower Mississippi Delta Region in-*
10 *cluding a range of cultural expressions like jazz.*

11 (b) *PURPOSE.*—*In furtherance of the need to recognize*
12 *the value and importance of jazz, it is the purpose of this*
13 *Act to establish a New Orleans Jazz National Historical*
14 *Park to preserve the origins, early history, development and*
15 *progression of jazz; provide visitors with opportunities to*
16 *experience the sights, sounds, and places where jazz evolved;*
17 *and implement innovative ways of establishing jazz edu-*
18 *cational partnerships that will help to ensure that jazz con-*
19 *tinues as a vital element of the culture of New Orleans and*
20 *our Nation.*

21 **SEC. 3. ESTABLISHMENT.**

22 (a) *IN GENERAL.*—*In order to assist in the preserva-*
23 *tion, education, and interpretation of jazz as it has evolved*
24 *in New Orleans, and to provide technical assistance to a*
25 *broad range of organizations involved with jazz music and*

1 *its history, there is hereby established the New Orleans Jazz*
2 *National Historical Park (hereinafter referred to as the*
3 *“historical park”). The historical park shall be adminis-*
4 *tered in conjunction with the Jean Lafitte National Histor-*
5 *ical Park and Preserve, which was established to preserve*
6 *and interpret the cultural and natural resources of the*
7 *lower Mississippi Delta Region.*

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

10 (1) *Lands which the Secretary of the Interior*
11 *(hereinafter referred to as “the Secretary”) may des-*
12 *ignate for an interpretive visitor center complex.*

13 (2) *Sites that are the subject of cooperative agree-*
14 *ments with the National Park Service for the pur-*
15 *poses of interpretive demonstrations and programs as-*
16 *sociated with the purposes of this Act.*

17 (3)(A) *Sites designated by the Secretary as pro-*
18 *vided in subparagraph (B).*

19 (B)(i) *No later than 18 months after the date of*
20 *enactment of this Act, the Secretary is directed to*
21 *complete a national historic landmark evaluation of*
22 *sites associated with jazz in and around New Orleans*
23 *as identified in the document entitled “New Orleans*
24 *Jazz Special Resource Study”, prepared by the Na-*
25 *tional Park Service pursuant to Public Law 101–499.*

1 *In undertaking the evaluation, the Secretary shall, to*
2 *the extent practicable, utilize existing information re-*
3 *lating to such sites.*

4 *(ii) If any of the sites evaluated are found to*
5 *meet the standards of the National Historic Land-*
6 *mark program and National Park Service tests of*
7 *suitability and feasibility, and offer outstanding op-*
8 *portunities to further the purposes of this Act, the*
9 *Secretary may designate such sites as part of the his-*
10 *torical park, following consultation with the owners of*
11 *such sites, the city of New Orleans, the Smithsonian*
12 *Institution, and the New Orleans Jazz Commission,*
13 *and notification to the Committee on Energy and*
14 *Natural Resources of the United States Senate and*
15 *the Committee on Natural Resources of the United*
16 *States House of Representatives.*

17 **SEC. 4. ADMINISTRATION.**

18 *(a)(1) IN GENERAL.—The Secretary shall administer*
19 *the historical park in accordance with this Act and with*
20 *provisions of law generally applicable to units of the Na-*
21 *tional Park System, including the Act entitled “An Act to*
22 *establish a National Park Service, and for other purposes”,*
23 *approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–*
24 *4); and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C.*
25 *461–467). The Secretary shall manage the historical park*

1 *in such a manner as will preserve and perpetuate knowl-*
2 *edge and understanding of the history of jazz and its contin-*
3 *ued evolution as a true American art form.*

4 (2) *To minimize operational costs associated with the*
5 *management and administration of the historical park and*
6 *to avoid duplication of effort, the Secretary shall, to the*
7 *maximum extent practicable, utilize the facilities, adminis-*
8 *trative staff and other services of the Jean Lafitte National*
9 *Historical Park and Preserve.*

10 (b) *DONATIONS.*—*The Secretary may accept and re-*
11 *tain donations of funds, property, or services from individ-*
12 *uals, foundations, corporations, or other public entities for*
13 *the purposes of providing services, programs, and facilities*
14 *that further the purposes of this Act.*

15 (c) *INTERPRETIVE CENTER.*—*The Secretary is author-*
16 *ized to construct, operate, and maintain an interpretive*
17 *center in the historical park on lands identified by the Sec-*
18 *retary pursuant to section 3(b)(1). Programs at the center*
19 *shall include, but need not be limited to, live jazz interpre-*
20 *tive and educational programs, and shall provide visitors*
21 *with information about jazz-related programs, perform-*
22 *ances, and opportunities.*

23 (d) *JAZZ HERITAGE DISTRICTS.*—*The Secretary may*
24 *provide technical assistance to the city of New Orleans and*
25 *other appropriate entities for the designation of certain*

1 *areas in and around New Orleans as jazz heritage districts.*
2 *Such districts shall include those areas with an exceptional*
3 *concentration of jazz historical sites and established com-*
4 *munity traditions of jazz street parades.*

5 *(e) COOPERATIVE AGREEMENTS, GRANTS AND TECH-*
6 *NICAL ASSISTANCE.—In furtherance of the purposes of this*
7 *Act—*

8 *(1) the Secretary, after consultation with the*
9 *New Orleans Jazz Commission established pursuant*
10 *to section 7, is authorized to enter into cooperative*
11 *agreements with owners of properties that are des-*
12 *ignated pursuant to section 3(b)(3) which provide*
13 *outstanding educational and interpretive opportuni-*
14 *ties relating to the evolution of jazz in New Orleans.*
15 *The Secretary may assist in rehabilitating, restoring,*
16 *marking, and interpreting and may provide technical*
17 *assistance for the preservation and interpretation of*
18 *such properties. Such agreements shall contain, but*
19 *need not be limited to, provisions that the National*
20 *Park Service will have reasonable rights of access for*
21 *operational and visitor use needs, that rehabilitation*
22 *and restoration will meet the Secretary's standards*
23 *for rehabilitation of historic buildings, and that speci-*
24 *fy the roles and responsibilities of the Secretary for*
25 *each site or structure;*

1 (2) *the Secretary is authorized to enter into co-*
2 *operative agreements with the city of New Orleans,*
3 *the State of Louisiana, and other appropriate public*
4 *and private organizations under which the other par-*
5 *ties to the agreement may contribute to the acquisi-*
6 *tion, construction, operation, and maintenance of the*
7 *interpretive center and to the operation of educational*
8 *and interpretive programs to further the purposes of*
9 *this Act; and*

10 (3) *the Secretary, in consultation with the New*
11 *Orleans Jazz Commission, is authorized to provide*
12 *grants or technical assistance to public and private*
13 *organizations.*

14 (f) *JAZZ EDUCATIONAL PROGRAMS.—The Secretary*
15 *shall, in the administration of the historical park, promote*
16 *a broad range of educational activities relating to jazz and*
17 *its history. The Secretary shall cooperate with schools, uni-*
18 *versities, and organizations supporting jazz education to*
19 *develop educational programs that provide expanded public*
20 *understanding of jazz and enhanced opportunities for pub-*
21 *lic appreciation. The Secretary may assist appropriate en-*
22 *tities in the development of an information base including*
23 *archival material, audiovisual records, and objects that re-*
24 *late to the history of jazz.*

1 **SEC. 5. ACQUISITION OF PROPERTY.**

2 (a) *GENERAL AUTHORITY.*—The Secretary may ac-
3 quire lands and interests therein within the sites designated
4 pursuant to section 3(b)(1) and (3) by donation or purchase
5 with donated or appropriated funds or long term lease: Pro-
6 vided, That sites designated pursuant to section 3(b)(3)
7 shall only be acquired with the consent of the owner thereof.

8 (b) *STATE AND LOCAL PROPERTIES.*—Lands and in-
9 terests in lands which are owned by the State of Louisiana,
10 or any political subdivision thereof, may be acquired only
11 by donation.

12 **SEC. 6. GENERAL MANAGEMENT PLAN.**

13 Within 3 years after the date funds are made available
14 therefor and concurrent with the national landmark study
15 referenced in section 3(b)(3), the Secretary, in consultation
16 with the New Orleans Jazz Commission, shall prepare a
17 general management plan for the historical park. The plan
18 shall include, but need not be limited to—

19 (1) a visitor use plan indicating programs and
20 facilities associated with park programs that will be
21 made available to the public;

22 (2) preservation and use plans for any structures
23 and sites that are identified through the historic land-
24 mark study for inclusion within the historical park;

1 (3) *the location and associated cost of public fa-*
2 *ilities that are proposed for inclusion within the his-*
3 *torical park, including a visitor center;*

4 (4) *identification of programs that the Secretary*
5 *will implement or be associated with through coopera-*
6 *tive agreements with other groups and organizations;*

7 (5) *a transportation plan that addresses visitor*
8 *use access needs to sites, facilities, and programs*
9 *central to the purpose of the historical park;*

10 (6) *plans for the implementation of an archival*
11 *system for materials, objects, and items of importance*
12 *relating to the history of jazz; and*

13 (7) *guidelines for the application of cooperative*
14 *agreements that will be used to assist in the manage-*
15 *ment of historical park facilities and programs.*

16 **SEC. 7. ESTABLISHMENT OF THE NEW ORLEANS JAZZ**
17 **COMMISSION.**

18 (a) *ESTABLISHMENT.*—*To assist in implementing the*
19 *purposes of this Act and the document entitled “New Orle-*
20 *ans Jazz Special Resource Study”, there is established the*
21 *New Orleans Jazz Commission (hereinafter referred to as*
22 *the “Commission”).*

23 (b) *MEMBERSHIP.*—*The Commission shall consist of*
24 *17 members to be appointed no later than 6 months after*

1 *the date of enactment of this Act. The Commission shall*
2 *be appointed by the Secretary as follows:*

3 (1) *One member from recommendations submit-*
4 *ted by the Mayor of New Orleans.*

5 (2) *Two members who have recognized expertise*
6 *in music education programs that emphasize jazz.*

7 (3) *One member, with experience in and knowl-*
8 *edge of tourism in the greater New Orleans area, from*
9 *recommendations submitted by local businesses.*

10 (4) *One member from recommendations submit-*
11 *ted by the Board of the New Orleans Jazz and Herit-*
12 *age Foundation.*

13 (5) *One member, with experience in and knowl-*
14 *edge of historic preservation within the New Orleans*
15 *area.*

16 (6) *Two members, one from recommendations*
17 *submitted by the Secretary of the Smithsonian Insti-*
18 *tution and one member from recommendations sub-*
19 *mitted by the Chairman of the National Endowment*
20 *of the Arts, who are recognized musicians with knowl-*
21 *edge and experience in the development of jazz in New*
22 *Orleans.*

23 (7) *Two members, one from recommendations*
24 *submitted by the Secretary of the Smithsonian Insti-*
25 *tution and one member from recommendations sub-*

1 *mited by the Director of the Louisiana State Mu-*
2 *seum with recognized expertise in the interpretation*
3 *of jazz history or traditions related to jazz in New*
4 *Orleans.*

5 *(8) Two members who represent local neighbor-*
6 *hood groups or other local associations; from rec-*
7 *ommendations submitted by the Mayor of New*
8 *Orleans.*

9 *(9) One member representing local mutual aid*
10 *and benevolent societies as well as local social and*
11 *pleasure clubs, from recommendations submitted by*
12 *the Board of the New Orleans Jazz and Heritage*
13 *Foundation.*

14 *(10) One member from recommendations submit-*
15 *ted by the Governor of the State of Louisiana, who*
16 *shall be a member of the Louisiana State Music Com-*
17 *mission.*

18 *(11) One member representing the New Orleans*
19 *Jazz Club from recommendations submitted by the*
20 *club.*

21 *(12) One member who is a recognized local ex-*
22 *pert on the history, development and progression of*
23 *jazz in New Orleans and is familiar with existing ar-*
24 *chival materials from recommendations submitted by*
25 *the Librarian of Congress.*

1 (13) *The Director of the National Park Service,*
2 *or the Director's designee, ex officio.*

3 (c) *DUTIES OF THE COMMISSION.*—*The Commission*
4 *shall—*

5 (1) *advise the Secretary in the preparation of the*
6 *general management plan for the historical park; as-*
7 *ist in public discussions of planning proposals; and*
8 *assist the National Park Service in working with in-*
9 *dividuals, groups, and organizations including eco-*
10 *nomic and business interests in determining pro-*
11 *grams in which the Secretary should participate*
12 *through cooperative agreement;*

13 (2) *in consultation and cooperation with the*
14 *Secretary, develop partnerships with educational*
15 *groups, schools, universities, and other groups to fur-*
16 *therance of the purposes of this Act;*

17 (3) *in consultation and cooperation with the*
18 *Secretary, develop partnerships with city-wide orga-*
19 *nizations, and raise and disperse funds for programs*
20 *that assist mutual aid and benevolent societies, social*
21 *and pleasure clubs and other traditional groups in*
22 *encouraging the continuation of and enhancement of*
23 *jazz cultural traditions;*

24 (4) *acquire or lease property for jazz education,*
25 *and advise on hiring brass bands and musical groups*

1 to participate in education programs and help train
2 young musicians;

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

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

9 (7) notwithstanding any other provision of law,
10 seek and accept donations of funds, property, or serv-
11 ices from individuals, foundations, corporations, or
12 other public or private entities and expend and use
13 the same for the purposes of providing services, pro-
14 grams, and facilities for jazz education, or assisting
15 in the rehabilitation and restoration of structures
16 identified in the national historic landmark study
17 referenced in section 3(b)(3) as having outstanding
18 significance to the history of jazz in New Orleans.

19 (d) *APPOINTMENT.*—Members of the Commission shall
20 be appointed for staggered terms of 3 years, as designated
21 by the Secretary at the time of the initial appointment.

22 (e) *CHAIRMAN.*—The Commission shall elect a chair-
23 man from among its members. The term of the chairman
24 shall be for 3 years.

1 (f) *TERMS.*—Any member of the Commission ap-
2 pointed by the Secretary for a 3-year term may serve after
3 the expiration of his or her term until a successor is ap-
4 pointed. Any vacancy shall be filled in the same manner
5 in which the original appointment was made. Any member
6 appointed to fill a vacancy shall serve for the remainder
7 of the term for which the predecessor was appointed.

8 (g) *PER DIEM EXPENSES.*—Members of the Commis-
9 sion shall serve without compensation. Members shall be en-
10 titled to travel expenses under section 5703, title 5, United
11 States Code, when engaged in Commission business, includ-
12 ing per diem in lieu of subsistence in the same manner as
13 persons employed intermittently.

14 (h) *ADMINISTRATIVE SUPPORT.*—The Secretary shall
15 provide the Commission with assistance in obtaining such
16 personnel, equipment, and facilities as may be needed by
17 the Commission to carry out its duties.

18 (i) *ANNUAL REPORT.*—The Commission shall submit
19 an annual report to the Secretary identifying its expenses
20 and income and the entities to which any grants or tech-
21 nical assistance were made during the year for which the
22 report is made.

23 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

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