

103^D CONGRESS
2^D SESSION

S. 2558

To provide for the World War II Home Front Council to reissue the World War II “E” award to the original recipients to commemorate the role of World War II Home Front veterans, including women, minorities, labor, and industry, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 8 (legislative day, SEPTEMBER 12), 1994

Mr. DOLE (for Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide for the World War II Home Front Council to reissue the World War II “E” award to the original recipients to commemorate the role of World War II Home Front veterans, including women, minorities, labor, and industry, 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 “World War II Home
5 Front Commemorative Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) 1995 marks the 50th anniversary of the Al-
2 lied victory in World War II;

3 (2) World War II was the central event of the
4 20th century that defined the postwar world;

5 (3) World War II is an enduring example of the
6 defeat of totalitarianism and the perseverance of de-
7 mocracy;

8 (4) without the tireless efforts of the 60 million
9 Americans on the Home Front, there would have
10 been no victory; and

11 (5) the 50th anniversary provides a unique op-
12 portunity to reissue the World War II “E” award to
13 the original recipients in recognition of their collec-
14 tive contribution to the Allied victory in the most
15 violent conflict in the history of mankind, and to
16 thank and honor the men and women of all races
17 and creeds whose dedicated service on the Home
18 Front as members of labor and industry contributed
19 significantly to that victory.

20 **SEC. 3. PURPOSES.**

21 The purposes of this Act are to—

22 (1) authorize the World War II Home Front
23 Council (incorporated in the District of Columbia on
24 April 19, 1994, and referred to as the Council) to
25 reissue the World War II “E” award for Excellence

1 in Industrial Production to the original recipients in
2 commemoration of the 50th Anniversary of the Al-
3 lied victory in World War II; and

4 (2) carry out other commemorative and edu-
5 cational activities with respect to the industrial war
6 effort known as “the Home Front”.

7 **SEC. 4. AUTHORIZATION TO REISSUE AWARD.**

8 (a) IN GENERAL.—The Council is hereby authorized
9 to reissue the World War II “E” Award for Excellence
10 in Industrial Production to the individuals, firms, and
11 businesses to which they were originally awarded in cele-
12 bration of the 50th anniversary of the Allied victory in
13 World War II.

14 (b) E MATERIAL.—

15 (1) IN GENERAL.—The award shall be evi-
16 denced by the reissue of the “E” medal, the “E”
17 flag, and other “E” material to be presented by the
18 Council with such ceremonies as the Council may
19 deem proper.

20 (2) MEDAL.—The “E” medal shall be coined by
21 the United States Mint and shall be of such design
22 and materials and bear such inscriptions as the
23 Council may prescribe.

24 (3) FLAG.—The “E” flag shall be produced
25 with the assistance of the Institute of Heraldry and

1 shall be of such design and materials and bear such
2 inscriptions as the Council may prescribe.

3 (c) PUBLICITY AND ADVERTISING.—Any individual,
4 firm, or business to which an award is reissued under this
5 section may publicize its receipt of such award and use
6 the award in its advertising.

7 **SEC. 5. MEMBERSHIP.**

8 (a) IN GENERAL.—The Council shall be composed of
9 12 members appointed pursuant to subsection (b) and any
10 number of Honorary members eligible to participate under
11 subsection (c).

12 (b) APPOINTMENT.—The 12 appointed members of
13 the Council shall be made up of—

14 (1) not less than 2 members who served on the
15 War Production Board during World War II, who
16 shall be determined by lot from among any eligible
17 members;

18 (2) not less than 4 members who are either cur-
19 rent or former Members of Congress who are veter-
20 ans of service in the Armed Forces during World
21 War II, who shall be selected from among those eli-
22 gible by the Majority and Minority Leaders of the
23 Senate and the Speaker and Minority Leader of the
24 House of Representatives; and

1 (3) not less than 4 members who are veterans
2 of service in the Armed Forces or on the Home
3 Front during World War II, or who are historians
4 or who have other credentials which would provide a
5 significant contribution to the work of the Council,
6 who shall be selected from among those eligible by
7 the Majority and Minority Leaders of the Senate
8 and the Speaker and Minority Leader of the House
9 of Representatives.

10 (c) HONORARY MEMBERS.—The Council may have
11 any number of honorary members, who shall be selected
12 from among any interested applicants by the members of
13 the Council appointed under subsection (b). Honorary
14 members may include—

15 (1) former members of the War Production
16 Board;

17 (2) Members and former Members of Congress
18 who are veterans of service in the Armed Forces
19 during World War II;

20 (3) veterans of service in the Armed Forces or
21 in war industries and other support activities on the
22 Home Front during World War II; and

23 (4) historians, civic and industrial leaders, and
24 others who can assist the Council in carrying out the
25 purposes of this Act.

1 **SEC. 6. ADMINISTRATIVE PROVISIONS AND POWERS.**

2 (a) APPOINTMENTS AND COMPENSATION.—Appoint-
3 ments and compensation of Council members appointed
4 under section 5(b) may be made without regard to the pro-
5 visions of title 5, United States Code, governing appoint-
6 ments in the competitive service, and without regard to
7 chapter 51 and subchapter II of chapter 53 of such title
8 relating to classification and General Schedule pay rates.

9 (b) REIMBURSEMENT FOR EXPENSES.—Each ap-
10 pointed member of the Council shall serve without being
11 compensated as a member of such Council, except that
12 each member shall be reimbursed for travel, subsistence,
13 and other necessary expenses incurred by them in the per-
14 formance of their duties.

15 (c) DETAILS.—Upon request of the Council, the head
16 of any Federal agency or department is encouraged to as-
17 sist the Council in every way and, in addition, to detail
18 any of the personnel of such agency or department to the
19 Council in carrying out its duties under this Act. Details
20 under this subsection shall be without reimbursement by
21 the Council to the agency or department from which the
22 employee concerned was detailed.

23 (d) FEDERAL COOPERATION.—All Federal agencies
24 and departments, both foreign and domestic, are encour-
25 aged to cooperate with and support, as requested, activi-
26 ties and programs coordinated by the Council.

1 (e) VOLUNTEER SERVICES.—The Council may accept
2 from any person voluntary services to be provided in fur-
3 therance of this Act.

4 (f) ACCOUNT.—The Council shall establish an ac-
5 count to be known as the “Excellence in Production
6 Award Account” which shall be administered by the Coun-
7 cil as a single account. There shall be deposited into the
8 account all proceeds derived from Council activities as de-
9 scribed in section 7 of this Act.

10 (g) USE OF AMOUNT.—

11 (1) IN GENERAL.—The Council may use the
12 funds in the account established under subsection (f)
13 only for the purpose of conducting the activities de-
14 scribed in section 7.

15 (2) FINAL ACCOUNTING.—Not later than 60
16 days after the termination of the authority of the
17 Council to conduct the activities described in section
18 7, the Council shall transmit to the Senate and the
19 House of Representatives a report containing an ac-
20 counting of all the funds deposited into and ex-
21 pended from the account or otherwise expended
22 under this section and of any amount remaining in
23 the account. Unobligated funds which remain in the
24 account after termination of the authority of the
25 Council under this section shall be held in the ac-

1 count until transferred by law after the Congress re-
2 ceives the report.

3 (h) PROCUREMENT.—The Council is authorized to
4 procure supplies, services, and property, and make con-
5 tracts, in any fiscal year, only to such extent or in such
6 amounts as are provided in appropriation Acts or are do-
7 nated pursuant subsection (j).

8 (i) GSA.—The Council is authorized to enter into
9 agreements with the General Services Administration for
10 procurement of necessary financial and administrative
11 services, for which payment shall be made by reimburse-
12 ment from funds of the Council in such amounts as may
13 be agreed upon by the Council and the Administrator of
14 the General Services Administration.

15 (j) DONATIONS.—

16 (1) IN GENERAL.—The Council is authorized to
17 accept, use, solicit, and dispose of donations of
18 money, property, or personal services.

19 (2) GUIDELINES.—The Council shall publish in
20 the Federal Register guidelines under which the
21 Council may accept donations of money, property, or
22 services, except that under such guidelines the Coun-
23 cil may not accept donations—

1 (A) the value of which exceeds \$500,000
2 annually, in the case of donations from an indi-
3 vidual; or

4 (B) the value of which exceeds \$2,000,000
5 annually, in the case of donations from a cor-
6 poration, partnership, or other business organi-
7 zation.

8 The guidelines published under this subsection shall
9 include procedures for determining the value of do-
10 nations of property or personal services.

11 (3) EXEMPTION.—The limitations provided in
12 paragraph (2) shall not apply in the case of an orga-
13 nization if it is an organization described in section
14 501(c)(3) of the Internal Revenue Code of 1954 (26
15 U.S.C. 501(c)(3)), and exempt from taxation under
16 section 501(a) of such Code.

17 (k) USE OF MAILS.—The Council may use the United
18 States mails in the same manner and under the same con-
19 ditions as members of the Congress.

20 (l) USE OF SYMBOLS AND MARKS.—

21 (1) DEFINITION.—For the purpose of this Act,
22 the term “World War II Home Front Council logo”
23 means the symbols or marks designated by the
24 Council for use in connection with the reissue of the
25 World War II “E” Award.

1 (2) COUNCIL AUTHORITY.—The Council shall
2 have the authority to design, adopt, use, and register
3 as trademarks and service marks, logos, emblems,
4 signs, insignia, or words, as the official marks of the
5 Council. The Council shall have the exclusive right
6 to use such logos, emblems, signs, insignia or words,
7 subject to the preexisting rights described in para-
8 graph (4)(B), and may grant exclusive or non-exclu-
9 sive licenses in connection with such right.

10 (3) RESTRICTIONS ON USE.—All projects,
11 goods, and services as to which use of the marks,
12 logos, emblems, signs, insignia, or words is author-
13 ized shall be educational or commemorative, and
14 shall relate to the reissue of the 50th anniversary of
15 the World War II “E” award. The projects, goods,
16 or services shall not exploit the United States Gov-
17 ernment or the private or public sectors. The pur-
18 pose of the Council in authorizing use of the marks,
19 logos, emblems, signs, insignia, or words shall not be
20 primarily or exclusively to raise funds.

21 (4) FEES.—Fees may be charged for any au-
22 thorization under this subsection, and any authoriza-
23 tion granted under this subsection may be revoked
24 or otherwise terminated.

25 (5) PENALTIES FOR USE.—

1 (A) IN GENERAL.—Whoever, except as au-
2 thorized under this Act or as provided under
3 subparagraph (B), manufactures, reproduces,
4 uses, sells, or distributes marks, logos, em-
5 blems, signs, insignia, or words which have been
6 adopted, used or registered as trademarks or
7 service marks by the Council—

8 (i) shall be fined not more than \$250
9 or imprisoned not more than 6 months, or
10 both; and

11 (ii) shall be subject to a civil penalty
12 in an amount equal to the amount of the
13 fee which would have been payable by that
14 person under paragraph (3)(A).

15 (B) EXCEPTION.—Any person who actually
16 used an emblem, sign, insignia, logo, or word
17 adopted, used or registered as a trademark or
18 service mark by the Council in accordance with
19 paragraph (2), or any combination or simula-
20 tion thereof, for any lawful purpose before such
21 adoption, use or registration as a trademark or
22 service mark by the Council shall not be prohib-
23 ited by this section from continuing such lawful
24 use for the same purpose and for the same
25 goods or services.

1 (6) APPLICATION OF TITLE 18.—Section 701 of
2 title 18, United States Code, shall not apply with re-
3 spect to the World War II Home Front Council logo.

4 (7) USE OF FUNDS.—Any amounts recovered
5 under paragraph (4) shall be deposited in the Excel-
6 lence in Production Award Account and shall be
7 available to the Council for the purposes of this Act.

8 (8) PUBLICATION OF NOTICE.—The Council
9 shall publish notice of any designations under para-
10 graph (1) in the Federal Register.

11 (m) TRANSFER OF FUNDS.—The Council may trans-
12 fer funds received by it to any Federal department or
13 agency if the Council determines that the use of such
14 funds by such department or agency would promote the
15 commemoration of the reissue of the World War II “E”
16 award. This subsection is effective only to the extent and
17 in such amounts as are provided in advance in appropria-
18 tion Acts.

19 **SEC. 7. DUTIES OF THE COUNCIL.**

20 (a) IN GENERAL.—The Council shall—

21 (1) plan, develop, and coordinate activities ap-
22 propriate to commemorate the 50th anniversary of
23 World War II through the reissue of the “E” award
24 and other activities to educate the public about the
25 contribution to victory made by persons serving on

1 the Home Front, including a limited number of
2 projects to be undertaken by the Federal Govern-
3 ment seeking to harmonize and balance the impor-
4 tant goals of ceremony and commemoration with the
5 equally important goals of scholarship and edu-
6 cation;

7 (2) encourage Federal, State and local govern-
8 ments, and private organizations to organize and
9 participate in activities commemorating or examin-
10 ing the history and legacy of the World War II “E”
11 award and the Home Front; and

12 (3) coordinate, generally, Congressional partici-
13 pation in activities commemorating the 50th anni-
14 versary of World War II through the reissue of the
15 “E” award and education about the efforts on the
16 Home Front, including those planned by the public
17 and private sectors.

18 (b) CONSIDERATIONS IN PLANNING AND IMPLE-
19 MENTING.—In planing and implementing appropriate ac-
20 tivities to commemorate the 50th anniversary of World
21 War II through the reissue of the “E” award and edu-
22 cation about the contribution to victory made by persons
23 serving on the Home Front, the Council shall give due
24 consideration to—

1 (1) the historical setting in which World War II
2 occurred;

3 (2) the history of the World War II “E” award
4 given for excellence in industrial production;

5 (3) the Home Front contributions of women,
6 minorities, labor, industry and all of those who par-
7 ticipated through the Red Cross, bond drives, re-
8 cruiting for the military, civil defense, the “Arsenal
9 of Democracy” (aircraft, ship, tank, and all other
10 war production), scrap drives, rationing, Blue and
11 Gold Star Mothers and Wives, the role of Hollywood,
12 the Manhattan Project, and all the rest;

13 (4) the unique achievements, contributions, and
14 advances of all American industry and technology,
15 including science, energy, medicine, agriculture,
16 communication, and transportation;

17 (5) the impact of World War II on the Home
18 Front, American life and government; and

19 (6) the need to encourage appropriate edu-
20 cational curriculums designed to educate students at
21 all levels about the history, lessons, and legacy of
22 World War II and important contribution to the Al-
23 lied victory made by persons serving on the Home
24 Front.

1 (c) ENTITIES PROVIDING COOPERATION, ADVICE,
2 AND ASSISTANCE.—The Council shall seek cooperation,
3 advice, and assistance from both governmental and private
4 entities, including institutions of the legislative, executive
5 and judicial Branches, foreign governments, veterans and
6 veterans service organizations and associations, women’s
7 organizations, minority organizations, labor organizations,
8 industry organizations, advertising and public relations or-
9 ganizations, the mass media including television, radio,
10 newspaper, magazine, book and other publishing, the en-
11 tertainment industry, associations, and organizations,
12 sport industries, organizations and associations, 50th An-
13 niversary of World War II Committee, Center for Military
14 History, the D-Day Museum, the Eisenhower Center, the
15 House and Senate Historians, the Library of Congress,
16 the U.S. Holocaust Memorial Council, the American Red
17 Cross, the U.S. Chamber of Commerce, the National Gov-
18 ernors Association, the National League of Cities, the
19 American Association of Retired Persons, the Industrial
20 College of the Armed Forces, the Women’s Bureau of the
21 Department of Labor, the National Archives, the Amer-
22 ican Battle Monuments Commission, the Presidential Li-
23 braries, the Corporation for Public Broadcasting, the Na-
24 tional Park Service, Bureau of Indian Affairs, Govern-
25 ment Printing Office, Federal Railroad Commission, Na-

1 tional Railroad Passenger Corporation (AMTRAK), Fed-
2 eral Maritime Commission, Federal Labor Relations Au-
3 thority, National Science Foundation, Nuclear Regulatory
4 Commission, National Institutes of Health, Small Busi-
5 ness Administration, Selective Service System, Inter-
6 national Monetary Fund, The National Gallery of Art,
7 The United Nations, NATO, our Allies, our former adver-
8 saries who are now our Allies, the U.S. Postal Service,
9 Federal, State and local governments, learned societies,
10 foundations, academic institutions, historical, patriotic,
11 philanthropic, civic, veteran, and professional groups,
12 business and industry organizations and associations rep-
13 resenting the entire spectrum of American life. All such
14 governmental entities shall cooperate with the Council, to
15 the extent allowed by law in providing advice and assist-
16 ance requested by the Council.

17 (d) CONTRACTING AUTHORITY.—The Council may,
18 in carrying out the purposes of this Act, contract with gov-
19 ernmental and private entities to assist in implementing
20 this Act.

21 (e) ADVISORY COMMITTEE.—The Council shall as-
22 semble a distinguished volunteer advisory committee made
23 up of individuals from the public and private sectors to
24 be charged with assisting staff on events, programs, and
25 projects and facilitation of such programs in this project

1 and also in preparing an assessment of the value and fea-
2 sibility of establishing a permanent “E” award for future
3 industrial excellence.

4 (f) REPORT.—Within 90 days after the date of enact-
5 ment of this Act, the Council shall submit to each House
6 of Congress a comprehensive report incorporating specific
7 recommendations of the Council for commemoration and
8 coordination of Congressional participation in the reissue
9 of the “E” award and related activities commemorate the
10 Home Front. Such report shall include recommendations
11 for publications, scholarly projects, conferences, programs,
12 films, libraries, exhibits, ceremonies, and other projects,
13 competitions, and awards, and a calendar of major activi-
14 ties and events planned. Following the initial report, the
15 Council shall submit semi-annual reports to each House
16 of Congress until such Council terminates.

17 **SEC. 8. TERMINATION.**

18 The Council shall terminate on December 31, 1996.

19 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to carry out
21 the purposes of this Act \$500,000 for fiscal year 1995
22 and such sums as may be necessary for the subsequent
23 fiscal year through termination of this Act.

1 **SEC. 10. REIMBURSEMENT OF COSTS.**

2 (a) CREATION OF FUND.—The Congress shall assist
3 the Council in the creation of a fund and in related sup-
4 port from the private sector to assist with the reissuance
5 of the “E” award.

6 (b) GIFTS.—The Council, Majority and Minority
7 Leaders of the Senate and House of Representatives, and
8 the 57 World War II veterans serving in Congress are au-
9 thorized to seek and accept gifts from public and private
10 sources to defray the cost of implementing this Act. Any
11 such gifts shall be accepted by the Council in accordance
12 with the guidelines issued under section 6.

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