

104TH CONGRESS
1ST SESSION

S. 1236

To establish a commission to advise the President on proposals for national commemorate events.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13 (legislative day, SEPTEMBER 5), 1995

Mr. HOLLINGS (for himself, Mr. JEFFORDS, Mr. KOHL, Mr. BRYAN, Mr. SANTORUM, Mr. KYL, Mr. BUMBERS, Mrs. BOXER, Mr. LUGAR, Mr. SIMPSON, and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish a commission to advise the President on proposals for national commemorate events.

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 “National Commemora-
5 tive Events Advisory Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) the preparation and consideration of the
9 multitude of bills proposing particular days, weeks,

1 months, or years for recognition through Presi-
2 dential proclamation unduly burdens the Congress
3 and consumes an inordinate amount of time;

4 (2) such proposals could be more efficiently
5 considered by a commission whose sole function
6 would be to review proposals for national commemo-
7 rative events and to make positive or negative rec-
8 ommendations thereon to the President;

9 (3) such a commission would streamline the
10 process by which such proposals are currently con-
11 sidered and save the Congress considerable time and
12 resources which could be devoted to matters of more
13 pressing national concern; and

14 (4) such a commission would better ensure the
15 impartial review of proposals for national commemo-
16 rative events generated by a wide variety of constitu-
17 ent groups.

18 **SEC. 3. ESTABLISHMENT AND MEMBERSHIP.**

19 (a) IN GENERAL.—There shall be established a com-
20 mission to be known as the “President’s Advisory Com-
21 mission on National Commemorative Events” (hereafter
22 in this Act referred to as the “Commission”).

23 (b) MEMBERS.—The Commission shall be composed
24 of 11 members of whom—

1 (1) 2 members shall be appointed by the Speak-
2 er of the House of Representatives, after consulta-
3 tion with the majority and minority leaders of the
4 House of Representatives;

5 (2) 2 members shall be appointed by the Presi-
6 dent pro tempore of the Senate, after consultation
7 with the majority and minority leaders of the Sen-
8 ate; and

9 (3) 7 members shall be appointed by the Presi-
10 dent.

11 (c) QUALIFICATIONS.—(1) All members of the Com-
12 mission shall be citizens of the United States.

13 (2) Members appointed under subsection (b)(3)—

14 (A) to the greatest extent possible, shall rep-
15 resent a wide range of educational, geographical,
16 and professional backgrounds; and

17 (B) may not be Members of Congress.

18 (d) TERMS.—(1) Except as provided in paragraph
19 (2), each member shall be appointed for a term of 2 years.

20 (2) Of the members first appointed under subsection
21 (b)(3) the President shall designate—

22 (A) 3 who shall be appointed for 1 year; and

23 (B) 4 who shall be appointed for 2 years.

24 (3) If a member was appointed to the Commission
25 as a Member of Congress and the member ceases to be

1 a Member of Congress, that member may continue as a
2 member for not longer than the 30-day period beginning
3 on the date that member ceases to be a Member of Con-
4 gress.

5 (e) VACANCIES.—A vacancy shall be filled in the
6 manner in which the original appointment was made. A
7 vacancy in the Commission shall not affect its powers. Any
8 member appointed to fill a vacancy occurring before the
9 expiration of the term for which the member's predecessor
10 was appointed shall be appointed only for the remainder
11 of such term.

12 (f) CHAIRMAN.—The Chairman of the Commission
13 shall be designated by the President from among the mem-
14 bers under subsection (b)(3). The term of office of the
15 Chairman shall be 2 years.

16 (g) QUORUM.—6 members of the Commission shall
17 constitute a quorum. Action by a quorum shall be nec-
18 essary for the Commission to issue a recommendation
19 under section 6(d).

20 (h) MEETINGS.—The Commission shall meet on at
21 least a quarterly basis. Meetings shall be held in the Dis-
22 trict of Columbia.

23 (i) PAY.—(1) Except as provided in paragraph (2),
24 each member of the Commission shall be paid the daily
25 equivalent of the maximum rate of basic pay payable for

1 grade GS-15 of the General Schedule for each day, includ-
2 ing traveltime, during which such member is performing
3 duties of the Commission.

4 (2) Members of the Commission who are full-time of-
5 ficers or employees of the United States or Members of
6 Congress may not receive additional pay for service on the
7 Commission.

8 (j) TRAVEL EXPENSES.—While away from their
9 homes or regular places of business in the performance
10 of services for the Commission, members of the Commis-
11 sion shall be allowed travel expenses, including a per diem
12 allowance in lieu of subsistence, in the same manner as
13 persons employed intermittently in the Government service
14 are allowed travel expenses under section 5703 of title 5
15 of the United States Code.

16 **SEC. 4. STAFF.**

17 (a) LIMITATION ON STAFF.—The Commission may
18 not employ staff personnel.

19 (b) DETAIL OF STAFF FROM FEDERAL AGENCIES.—
20 Any Federal employee may be detailed to the Commission
21 without reimbursement, and such detail shall be without
22 interruption or loss of civil service status or privilege.

23 **SEC. 5. POWERS OF THE COMMISSION.**

24 (a) HEARINGS.—The Commission may, for the pur-
25 pose of carrying out this Act, hold such hearings, take

1 such testimony, and receive such evidence, as it considers
2 appropriate.

3 (b) GIFTS.—The Commission may accept, use, and
4 dispose of gifts or donations of services or property, but
5 not from a source having a direct interest in any matter
6 before the Commission.

7 (c) MAILS.—The Commission may use the United
8 States mails in the same manner and under the same con-
9 ditions as other departments and agencies of the United
10 States.

11 (d) ADMINISTRATIVE SUPPORT SERVICES.—The Ad-
12 ministrator of General Services shall provide to the Com-
13 mission, on a reimbursable basis, such administrative sup-
14 port services as the Commission may request.

15 **SEC. 6. DUTIES OF THE COMMISSION.**

16 (a) CRITERIA.—The Commission shall establish cri-
17 teria for recommending to the President that a proposed
18 commemorative event be approved or disapproved.

19 (b) SUBMISSION OF PROPOSALS.—The Commission
20 shall establish and publish in the Federal Register proce-
21 dures for submitting proposals for national commemora-
22 tive events to the Commission.

23 (c) REVIEW OF PROPOSALS.—The Commission shall
24 review all proposals submitted to it in accordance with
25 subsection (b).

1 (d) RECOMMENDATION TO THE PRESIDENT.—The
2 Commission shall issue a recommendation to the President
3 for approval or disapproval of each proposal submitted to
4 it in accordance with subsection (b). Each recommenda-
5 tion shall be accompanied by a brief explanation of such
6 recommendation.

7 (e) LIMITATION ON DESIGNATION OF EVENTS.—The
8 Commission shall not issue a recommendation to the
9 President for approval of an event which commemorates—

10 (1) a commercial enterprise, industry, specific
11 product, or fraternal, political, business, labor, or
12 sectarian organization;

13 (2) a particular State or any political subdivi-
14 sion thereof, city, town, county, school, or institution
15 of higher learning; or

16 (3) a living person.

17 (f) NONPERMANENT DESIGNATIONS.—(1) Any day,
18 week, month, year, or other specified period of time des-
19 igned by the Commission for commemoration of an event
20 may not be designated for a date or time period which
21 begins more than 1 year after the date such designation
22 is made.

23 (2) No event which is commemorated by a day, week,
24 month, year, or other specified period of time designated

1 by the Commission may be commemorated by another des-
2 ignation within a single calendar year.

3 **SEC. 7. EFFECTIVE DATE; COMMENCEMENT AND TERMI-**
4 **NATION PROVISIONS.**

5 (a) EFFECTIVE DATE.—This Act shall take effect on
6 January 1, 1996.

7 (b) COMMENCEMENT; TERMINATION.—(1) Members
8 of the Commission shall be appointed, and the Commission
9 shall first meet, within 90 days after the effective date
10 of this Act.

11 (2) The Commission shall terminate 5 years after the
12 date on which it first meets.

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