

107TH CONGRESS
2^D SESSION

H. R. 4956

To establish a National Commission on the Bicentennial of the Louisiana Purchase.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2002

Mr. CARSON of Oklahoma (for himself and Mr. BORSKI) introduced the following bill; which was referred to the Committee on Resources

A BILL

To establish a National Commission on the Bicentennial of the Louisiana Purchase.

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 “Louisiana Purchase
5 Bicentennial Commission Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the Bicentennial of the Louisiana Purchase
9 occurs in 2003, 200 years after the United States,
10 under the leadership of President Thomas Jefferson

1 and after due consideration and approval by Con-
2 gress, paid \$15,000,000 to France in order to ac-
3 quire the vast area in the western half of the Mis-
4 sissippi River Basin;

5 (2) the Louisiana Purchase was the largest
6 peaceful land transaction in history, virtually dou-
7 bling the size of the United States;

8 (3) the Louisiana Purchase opened the heart-
9 land of the North American continent for explo-
10 ration, settlement, and achievement to the people of
11 the United States;

12 (4) in the wake of the Louisiana Purchase, the
13 new frontier attracted immigrants from around the
14 world and became synonymous with the search for
15 spiritual, economic, and political freedom;

16 (5) today the States of Arkansas, Colorado,
17 Iowa, Kansas, Louisiana, Minnesota, Missouri, Mon-
18 tana, Nebraska, North Dakota, Oklahoma, South
19 Dakota, Texas, and Wyoming make up what was the
20 Louisiana Territory; and

21 (6) commemoration of the Louisiana Purchase
22 and the opening of the West would—

23 (A) enhance public understanding of the
24 impact of westward expansion on the society of
25 the United States; and

1 (B) provide lessons for continued demo-
2 cratic governance in the United States.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) BICENTENNIAL.—The term “Bicentennial”
6 means the 200th anniversary of the Louisiana Pur-
7 chase.

8 (2) COMMISSION.—The term “Commission”
9 means the National Commission on the Bicentennial
10 of the Louisiana Purchase established under section
11 4(a).

12 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

13 (a) ESTABLISHMENT.—There is established a com-
14 mission to be known as the “National Commission on the
15 Bicentennial of the Louisiana Purchase”.

16 (b) DUTIES.—The Commission shall plan, encourage,
17 coordinate, and conduct the commemoration of the Bicen-
18 tennial.

19 (c) MEMBERSHIP.—

20 (1) NUMBERS AND APPOINTMENT.—The Com-
21 mission shall be composed of 20 members,
22 including—

23 (A) 14 members consisting of the gov-
24 ernor, or their designee, of each State that
25 made up the Louisiana Territory;

1 (B) the Director of the National Museum
2 of American History of the Smithsonian Insti-
3 tution or his designee;

4 (C) the Librarian of Congress or his des-
5 ignee;

6 (D) as chosen by the Commission, the
7 president or head of 2 United States historical
8 societies, foundations, or organizations of Na-
9 tional stature or prominence;

10 (E) the Secretary of Education or his des-
11 ignee; and

12 (F) 2 members from the largest Federally
13 recognized Native American tribes within the
14 territory.

15 (2) INTERNATIONAL PARTICIPATION.—The
16 President may invite the Governments of France
17 and Spain to appoint 1 individual each to serve as
18 a nonvoting member of the Commission.

19 (3) DATE OF APPOINTMENTS.—The appoint-
20 ment of a member of the Commission described in
21 paragraph (1) shall be made not later than 120 days
22 after the date of enactment of this Act.

23 (d) TERM; VACANCIES.—

24 (1) TERM.—A member shall be appointed for
25 the life of the Commission.

1 (2) VACANCY.—A vacancy on the
2 Commission—

3 (A) shall not affect the powers of the Com-
4 mission; and

5 (B) shall be filled in the same manner as
6 the original appointment was made.

7 (e) ORGANIZATION AND INITIAL MEETING.—No later
8 than 90 days after the date of enactment of this Act, the
9 Commission shall meet and select a Chairperson, Vice
10 Chairperson, and Executive Director.

11 (f) MEETINGS.—The Commission shall meet at the
12 call of the Chairperson described under subsection (h).

13 (g) QUORUM.—A quorum of the Commission for deci-
14 sion-making purposes shall be 11 members, except that
15 a lesser number of members, as determined by the Com-
16 mission, may conduct meetings.

17 (h) CHAIRPERSON.—The Commission shall select a
18 Chairperson of the Commission from the members des-
19 ignated under subsection (c)(1). The Chairperson may be
20 removed by a vote of a majority of the Commission's mem-
21 bers.

22 **SEC. 5. DUTIES.**

23 (a) IN GENERAL.—The Commission shall—

24 (1) plan and develop activities appropriate to
25 commemorate the Bicentennial including a limited

1 number of proposed projects to be undertaken by the
2 appropriate Federal departments and agencies that
3 commemorate the Bicentennial by seeking to har-
4 monize and balance the important goals of ceremony
5 and celebration with the equally important goals of
6 scholarship and education;

7 (2) consult with and encourage Indian tribes,
8 appropriate Federal departments and agencies, State
9 and local governments, elementary and secondary
10 schools, colleges and universities, foreign govern-
11 ments, and private organizations to organize and
12 participate in Bicentennial activities commemorating
13 or examining—

14 (A) the history of the Louisiana Territory;

15 (B) the negotiations of the Louisiana Pur-
16 chase;

17 (C) voyages of discovery;

18 (D) frontier movements; and

19 (E) the westward expansion of the United
20 States;

21 (3) coordinate activities throughout the United
22 States and internationally that relate to the history
23 and influence of the Louisiana Purchase; and

24 (4) encourage the publication of popular and
25 scholarly works related to the Louisiana purchase.

1 (b) REPORTS.—

2 (1) IN GENERAL.—Not later than 1 year before
3 the Bicentennial date, the Commission shall submit
4 to the President and Congress a comprehensive re-
5 port that includes specific recommendations for—

6 (A) the allocation of financial and adminis-
7 trative responsibility among participating enti-
8 ties and persons with respect to commemoration
9 of the Bicentennial; and

10 (B) the commemoration of the Bicenten-
11 nial and related events through programs and
12 activities, such as—

13 (i) the production, publication, and
14 distribution of books, pamphlets, films,
15 electronic publications, and other edu-
16 cational materials focusing on the history
17 and impact of the Louisiana Purchase on
18 the United States and the world;

19 (ii) bibliographical and documentary
20 projects, publications, and electronic re-
21 sources;

22 (iii) conferences, convocations, lec-
23 tures, seminars, and other programs;

24 (iv) the development of programs by
25 and for libraries, museums, parks and his-

1 toric sites, including international and na-
2 tional traveling exhibitions;

3 (v) ceremonies and celebrations com-
4 memorating specific events;

5 (vi) the production, distribution, and
6 performance of artistic works, and of pro-
7 grams and activities, focusing on the inter-
8 national and national significance of the
9 Louisiana Purchase and the westward
10 movement opening the frontier for present
11 and future generations; and

12 (vii) the issuance of commemorative
13 coins, medals, certificates of recognition,
14 and stamps.

15 (2) ANNUAL REPORT.—In each fiscal year in
16 which the Commission is in existence, the Commis-
17 sion shall prepare and submit to Congress a report
18 describing the activities of the Commission during
19 the fiscal year. Each annual report shall also
20 include—

21 (A) recommendations regarding appro-
22 priate activities to commemorate the centennial
23 of the Louisiana Purchase, including—

1 (i) the production, publication, and
2 distribution of books, pamphlets, films, and
3 other educational materials;

4 (ii) bibliographical and documentary
5 projects and publications;

6 (iii) conferences, convocations, lec-
7 tures, seminars, and other similar pro-
8 grams;

9 (iv) the development of exhibits for li-
10 braries, museums, and other appropriate
11 institutions;

12 (v) ceremonies and celebrations com-
13 memorating specific events that relate to
14 the Louisiana Purchase;

15 (vi) programs focusing on the history
16 of the Louisiana Purchase and its benefits
17 to the United States and humankind; and

18 (vii) competitions, commissions, and
19 awards regarding historical, scholarly, ar-
20 tistic, literary, musical, and other works,
21 programs, and projects related to the cen-
22 tennial of the Louisiana Purchase;

23 (B) recommendations to appropriate agen-
24 cies or advisory bodies regarding the issuance of
25 commemorative coins, medals, and stamps by

1 the United States relating to aviation or the
2 centennial of the Louisiana Purchase;

3 (C) recommendations for any legislation or
4 administrative action that the Commission de-
5 termines to be appropriate regarding the com-
6 memoration of the centennial of the Louisiana
7 Purchase;

8 (D) an accounting of funds received and
9 expended by the Commission in the fiscal year
10 that the report concerns, including a detailed
11 description of the source and amount of any
12 funds donated to the Commission in the fiscal
13 year; and

14 (E) an accounting of any cooperative
15 agreements and contract agreements entered
16 into by the Commission.

17 (3) FINAL REPORT.—Not later than 1 year
18 after the Bicentennial date, the Commission shall
19 submit to the President and Congress a final report.
20 The final report shall contain—

21 (A) a summary of the activities of the
22 Commission;

23 (B) a final accounting of funds received
24 and expended by the Commission;

1 (C) any findings and conclusions of the
2 Commission; and

3 (D) specific recommendations concerning
4 the final disposition of any historically signifi-
5 cant items acquired by the Commission, includ-
6 ing items donated to the Commission.

7 (c) ASSISTANCE.—In carrying out this Act, the Com-
8 mission shall consult, cooperate with, and seek advice and
9 assistance from appropriate Federal departments and
10 agencies.

11 **SEC. 6. POWERS OF THE COMMISSION.**

12 (a) IN GENERAL.—The Commission may provide
13 for—

14 (1) the preparation, distribution, dissemination,
15 exhibition, and sale of historical, commemorative,
16 and informational materials and objects that will
17 contribute to public awareness of, and interest in,
18 the Bicentennial, except that any commemorative
19 coin, medal, or postage stamp recommended to be
20 issued by the United States shall be sold only by a
21 Federal department or agency;

22 (2) competitions and awards for historical,
23 scholarly, artistic, literary, musical, and other works,
24 programs, and projects relating to the Bicentennial;

1 (3) a Bicentennial calendar or register of pro-
2 grams and projects, and in other ways provide a
3 central clearinghouse for information and coordina-
4 tion regarding dates, events, places, documents, arti-
5 facts, and personalities of Bicentennial historical
6 and commemorative significance; and

7 (4) the design and designation of logos, sym-
8 bols, or marks for use in connection with the com-
9 memoration of the Bicentennial shall establish proce-
10 dures regarding their use.

11 (b) FEDERAL COOPERATION.—To ensure the overall
12 success of the Commission’s efforts, the Commission may
13 call upon various Federal departments and agencies to as-
14 sist in and give support to the programs of the Commis-
15 sion. The head of the Federal department or agency,
16 where appropriate, shall furnish the information or assist-
17 ance requested by the Commission, unless prohibited by
18 law.

19 (c) PROHIBITION OF PAY OTHER THAN TRAVEL EX-
20 PENSES.—Members of an advisory committee or task
21 force of the Commission shall not receive pay, but may
22 receive travel expenses pursuant to policies adopted by the
23 Commission. Members who are Federal employees shall
24 not receive travel expenses if otherwise reimbursed by the
25 Federal Government.

1 (d) POWERS OF MEMBERS AND AGENTS.—Any mem-
2 ber or agent of the Commission may, if authorized by the
3 Commission, take any action that the Commission is au-
4 thorized to take under this Act.

5 (e) AUTHORITY TO PROCURE AND TO MAKE LEGAL
6 AGREEMENTS.—

7 (1) IN GENERAL.—Notwithstanding any other
8 provision in this Act, only the Commission may pro-
9 cure supplies, services, and property, and make or
10 enter into leases and other legal agreements in order
11 to carry out this Act.

12 (2) RESTRICTION.—

13 (A) IN GENERAL.—A contract, lease, or
14 other legal agreement made or entered into by
15 the Commission may not extend beyond the
16 date of the termination of the Commission.

17 (B) FEDERAL SUPPORT.—The Commission
18 shall obtain property, equipment, and office
19 space from the General Services Administration
20 or the Smithsonian Institution, unless other of-
21 fice space, property, or equipment is less costly.

22 (3) SUPPLIES AND PROPERTY POSSESSED BY
23 COMMISSION AT TERMINATION.—Any supplies and
24 property, except historically significant items, that
25 are acquired by the Commission under this Act and

1 remain in the possession of the Commission on the
2 date of the termination of the Commission shall be-
3 come the property of the General Services Adminis-
4 tration upon the date of termination.

5 (f) ADVISORY COMMITTEE.—The Commission may
6 appoint such advisory committees as the Commission de-
7 termines necessary to carry out the purposes of this Act.

8 **SEC. 7. ADMINISTRATION.**

9 (a) LOCATION OF OFFICE.—

10 (1) CENTRAL OFFICE.—The central office of
11 the Commission shall be in Washington, D.C.

12 (2) ADDITIONAL OFFICES.—The Commission
13 shall establish 2 additional offices in New Orleans,
14 Louisiana, and St. Louis, Missouri.

15 (b) EXECUTIVE DIRECTOR.—There shall be an Exec-
16 utive Director appointed by the Commission and chosen
17 from among detailees from the agencies and organizations
18 represented on the Commission. The Executive Director
19 may be paid at a rate not to exceed the maximum rate
20 of basic pay payable for the Senior Executive Service.

21 (c) STAFF.—The Commission may appoint and fix
22 the pay of any additional personnel that it considers ap-
23 propriate, except that an individual appointed under this
24 subsection may not receive pay in excess of the maximum

1 rate of basic pay payable for GS-14 of the General Sched-
2 ule.

3 (d) INAPPLICABILITY OF CERTAIN CIVIL SERVICE
4 LAWS.—The Executive Director and staff of the Commis-
5 sion may be appointed without regard to the provisions
6 of title 5, United States Code, governing appointments in
7 the competitive service, and may be paid without regard
8 to the provisions of chapter 51 and subchapter III of chap-
9 ter 53 of such title, relating to classification and General
10 Schedule pay rates, except as provided under subsections
11 (a) and (b) of this section.

12 (e) MERIT SYSTEM PRINCIPLES.—The appointment
13 of the Executive Director or any personnel of the Commis-
14 sion under subsection (a) or (b) shall be made consistent
15 with the merit system principles under section 2301 of
16 title 5, United States Code.

17 (f) STAFF OF FEDERAL AGENCIES.—Upon request
18 by the Chairperson of the Commission, the head of any
19 Federal department or agency may detail, on either a non-
20 reimbursable or reimbursable basis, any of the personnel
21 of the department or agency to the Commission to assist
22 the Commission to carry out its duties under this Act.

23 (g) ADMINISTRATIVE SUPPORT SERVICES.—The Sec-
24 retary of the Smithsonian Institution may provide to the
25 Commission on a reimbursable basis any administrative

1 support services that are necessary to enable the Commis-
2 sion to carry out this Act.

3 (h) COOPERATIVE AGREEMENTS.—The Commission
4 may enter into cooperative agreements with other Federal
5 agencies, State and local governments, and nonprofit orga-
6 nizations that will contribute to public awareness of and
7 interest in the centennial of the Louisiana Purchase and
8 toward furthering the goals and purposes of this Act.

9 (i) PROGRAM SUPPORT.—The Commission may re-
10 ceive program support from the nonprofit sector.

11 (j) MEMBERS' COMPENSATION.—

12 (1) IN GENERAL.—A member of the Commis-
13 sion shall serve without compensation.

14 (2) TRAVEL EXPENSES.—The Commission may
15 adopt a policy, only by unanimous vote, for members
16 of the Commission and related advisory panels to re-
17 ceive travel expenses, including per diem in lieu of
18 subsistence. The policy may not exceed the levels es-
19 tablished under sections 5702 and 5703 of title 5,
20 United States Code. Members who are Federal em-
21 ployees shall not receive travel expenses if otherwise
22 reimbursed by the Federal Government.

23 (k) OTHER REVENUES AND EXPENDITURES.—The
24 Commission may procure supplies, services, and property,

1 enter into contracts, and expend funds appropriated, do-
2 nated, or received to carry out contracts.

3 (l) **POSTAL SERVICES.**—The Commission may use
4 the United States mail to carry out this Act in the same
5 manner and under the same conditions as other agencies
6 of the Federal Government.

7 **SEC. 8. CONTRIBUTIONS.**

8 (a) **DONATIONS.**—The Commission may solicit, ac-
9 cept, and use donations of money, property, or personal
10 services and historic materials relating to the implementa-
11 tion of its responsibilities under the provisions of this Act.
12 The Commission shall not accept donations the value of
13 which exceeds—

14 (1) \$50,000 annually with respect to an indi-
15 vidual; and

16 (2) \$250,000 annually with respect to any per-
17 son other than an individual.

18 (b) **VOLUNTEER SERVICES.**—Notwithstanding sec-
19 tion 1342 of title 31, United States Code, the Commission
20 may accept and use voluntary and uncompensated services
21 as the Commission determines necessary.

22 (c) **REMAINING FUNDS.**—Any funds (including funds
23 received from licensing royalties) remaining with the Com-
24 mission on the date of the termination of the Commission
25 may be used to ensure proper disposition, as specified in

1 the final report required under section 10(b), of histori-
2 cally significant property which was donated to or ac-
3 quired by the Commission. Any funds remaining after
4 such disposition shall be transferred to the Secretary of
5 the Treasury for deposit into the general fund of the
6 Treasury of the United States.

7 (d) ACQUIRED ITEMS.—Any book, manuscript, mis-
8 cellaneous printed matter, memorabilia, relic, and other
9 material or property relating to the time period of the
10 Louisiana Purchase acquired by the Commission may be
11 deposited for preservation in national, State, or local li-
12 braries, museums, archives, or other agencies with the
13 consent of the depository institution.

14 **SEC. 9. EXCLUSIVE RIGHT TO NAME, LOGOS, EMBLEMS,**
15 **SEALS, AND MARKS.**

16 (a) IN GENERAL.—The Commission may devise any
17 logo, emblem, seal, or descriptive or designating mark that
18 is required to carry out its duties or that it determines
19 is appropriate for use in connection with the commemora-
20 tion of the Bicentennial of the Louisiana Purchase.

21 (b) LICENSING.—The Commission shall have the sole
22 and exclusive right to use, or to allow or refuse the use
23 of, the name “National Commission on the Bicentennial
24 of the Louisiana Purchase” on any logo, emblem, seal, or

1 descriptive or designating mark that the Commission law-
2 fully adopts.

3 (c) EFFECT ON OTHER RIGHTS.—No provision of
4 this section may be construed to conflict or interfere with
5 established or vested rights.

6 (d) USE OF FUNDS.—Funds from licensing royalties
7 received pursuant to this section shall be used by the Com-
8 mission to carry out the duties of the Commission speci-
9 fied by this Act.

10 (e) LICENSING RIGHTS.—All exclusive licensing
11 rights, unless otherwise specified, shall revert to the Na-
12 tional Museum of American History upon termination of
13 the Commission.

14 **SEC. 10. AUDIT OF FINANCIAL TRANSACTIONS.**

15 (a) IN GENERAL.—

16 (1) AUDIT.—The Comptroller General of the
17 United States shall audit on an annual basis the fi-
18 nancial transactions of the Commission, including fi-
19 nancial transactions involving donated funds, in ac-
20 cordance with generally accepted auditing standards.

21 (2) ACCESS.—In conducting an audit under
22 this section, the Comptroller General.—

23 (A) shall have access to all books, ac-
24 counts, financial records, reports, files, and
25 other papers, items, or property in use by the

1 Commission, as necessary to facilitate the audit;
2 and

3 (B) shall be afforded full facilities for
4 verifying the financial transactions of the Com-
5 mission, including access to any financial
6 records or securities held for the Commission by
7 depositories, fiscal agents, or custodians.

8 (b) FINAL REPORT.—Not later than 120 days after
9 the date on which the Commission submits its final report,
10 the Comptroller General of the United States shall submit
11 to the President and to Congress a report detailing the
12 results of any audit of the financial transactions of the
13 Commission conducted by the Comptroller General.

14 **SEC. 11. TERMINATION OF THE COMMISSION.**

15 Not later than 60 days after the submission of the
16 final report, the Commission shall terminate.

17 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) IN GENERAL.—Subject to subsections (b) and (c),
19 there are authorized to be appropriated to carry out the
20 purposes of this Act \$250,000 for each of the fiscal years
21 2002, 2003, and 2004.

22 (b) AVAILABILITY OF FUNDS.—Amounts appro-
23 priated under this section for any fiscal year shall remain
24 available until March 31, 2004.

○