

108TH CONGRESS
2^D SESSION

H. R. 2449

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To establish a commission to commemorate the
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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Civil War Sesqui-
3 centennial Commission Act”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) The American Civil War was a defining ex-
8 perience in the development of the United States.

9 (2) The people of the United States continue to
10 struggle with issues of race, civil rights, the politics
11 of federalism, and heritage which are legacies of the
12 Civil War and Reconstruction.

13 (3) There is a resurgence of interest in the Civil
14 War that is evidenced by the multitude of publica-
15 tions, exhibits, reenactments, research organizations,
16 Internet and multimedia resources, historic parks,
17 and preservation associations focused on the Civil
18 War.

19 (4) The years 2011 through 2015 mark the ses-
20 quicentennial of the Civil War.

21 (5) The sesquicentennial of the Civil War pre-
22 sents a significant opportunity for Americans to re-
23 call and reflect upon the Civil War and its legacy in
24 a spirit of reconciliation and reflection.

25 (6) The United States Civil War Center at Lou-
26 isiana State University, Louisiana, and the Civil

1 War Institute at Gettysburg College, Pennsylvania,
2 have been designated by the Federal government to
3 plan and facilitate the commemoration of the sesqui-
4 centennial of the Civil War.

5 (7) The State of Virginia—

6 (A) witnessed more Civil War military en-
7 gagements on its soil than any other State;

8 (B) hosts more historic sites related to the
9 Civil War than any other State; and

10 (C) is home to the Pamplin Historical
11 Park and the National Museum of the Civil
12 War Soldier and the Virginia Center for Civil
13 War Studies at Virginia Polytechnic Institute
14 and State University, both of which are nation-
15 ally recognized centers of expertise in the study
16 of the Civil War.

17 (8) The African American Civil War Museum
18 located in Washington, D.C., is the only museum in
19 the nation dedicated to the study and understanding
20 of the role of African Americans in the Civil War.

21 (b) PURPOSE.—The purpose of this Act is to estab-
22 lish a Civil War Sesquicentennial Commemoration Com-
23 mission to—

24 (1) ensure a suitable national observance of the
25 sesquicentennial of the Civil War;

1 (B) 2 Members of the Senate appointed by
2 the President pro tempore of the Senate, in
3 consultation with the Majority Leader and the
4 Minority Leader of the Senate;

5 (C) the Secretary of the Interior or the
6 designee of the Secretary;

7 (D) the Secretary of the Smithsonian In-
8 stitution, or the designee of the Secretary;

9 (E) the Secretary of the Department of
10 Education, or the designee of the Secretary;

11 (F) the Chairman of the National Endow-
12 ment for the Humanities, or the designee of the
13 Chairman;

14 (G) the Archivist of the United States, or
15 the designee of the Archivist;

16 (H) the Librarian of Congress, or the des-
17 ignedee of the Librarian; and

18 (I) the Director of the National Park Serv-
19 ice, or the designee of the Director.

20 (2) PRIVATE MEMBERS.—The Commission shall
21 include—

22 (A) 5 members appointed by the President
23 from among individuals who are representative
24 of the corporate community; and

1 (B) 9 individuals, appointed by the Presi-
2 dent, from among persons who by reason of
3 education, training, and experience, are experts
4 on the Antebellum, Civil War, and Reconstruc-
5 tion eras, including—

6 (i) 6 individuals with expertise in his-
7 tory;

8 (ii) 1 individual with specific expertise
9 in art history, historic preservation, or a
10 related field;

11 (iii) 1 individual with expertise in an-
12 thropology, cultural geography, sociology,
13 or a related field; and

14 (iv) 1 individual with expertise in po-
15 litical science, law, economics, or a related
16 field.

17 (b) TERMS.—Members shall be appointed for the life
18 of the Commission.

19 (c) VACANCIES.—Any vacancy in the Commission
20 shall not affect its powers, and shall be filled in the same
21 manner as the original appointment.

22 (d) INITIAL APPOINTMENTS.—The appointment of
23 the members of the Commission shall be made not later
24 than 60 days after the date of the enactment of this Act.

1 **SEC. 5. GENERAL PROVISIONS.**

2 (a) MEETINGS.—

3 (1) INITIAL MEETING.—Not later than 60 days
4 after the date on which all members of the Commis-
5 sion have been appointed, the members appointed
6 under subparagraphs (A) and (B) of section 4(a)(2)
7 shall call the first meeting of the Commission.

8 (2) SUBSEQUENT MEETINGS.—The Commission
9 shall hold subsequent meetings at the call of the
10 chairperson.

11 (b) CHAIRPERSON AND VICE CHAIRPERSON.—At the
12 initial meeting, the Commission shall elect a Chairperson
13 and Vice Chairperson from among its voting members.

14 (c) QUORUM.—A majority of voting members shall
15 constitute a quorum, but a lesser number may hold meet-
16 ings.

17 (d) VOTING.—

18 (1) IN GENERAL.—The Commission shall act
19 only on an affirmative vote of a majority of the vot-
20 ing members of the Commission.

21 (2) NONVOTING MEMBERS.—The individuals
22 appointed under subparagraphs (A) and (B) of sec-
23 tion 4(a)(1) shall be nonvoting members, and shall
24 serve only in an advisory capacity.

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

2 (a) ACTIVITIES RELATED TO THE SESQUICENTEN-
3 NIAL.—The Commission shall—

4 (1) plan, develop, and carry out programs and
5 activities appropriate to commemorate the sesqui-
6 centennial of the Civil War;

7 (2) encourage interdisciplinary examination of
8 the Civil War;

9 (3) facilitate Civil War-related activities
10 throughout the United States;

11 (4) encourage civic, historical, educational, eco-
12 nomic, and other organizations throughout the
13 United States to organize and participate in activi-
14 ties to expand the understanding and appreciation of
15 the significance of the Civil War;

16 (5) coordinate and facilitate the public distribu-
17 tion of scholarly research, publications, and interpre-
18 tations of the Civil War;

19 (6) provide technical assistance to States, local-
20 ities, and nonprofit organizations to further the com-
21 memoration of the sesquicentennial of the Civil War;

22 (7) develop programs and facilities to ensure
23 that the sesquicentennial commemoration of the
24 Civil War results in a positive legacy and long-term
25 public benefit; and

1 (8) encourage the development and conduct of
2 programs designed to involve the international com-
3 munity in activities that commemorate the Civil
4 War.

5 (b) PLANS AND REPORT.—

6 (1) STRATEGIC PLAN AND ANNUAL PERFORM-
7 ANCE PLANS.—The Commission shall prepare a
8 strategic plan in accordance with section 306 of title
9 5, United States Code, and annual performance
10 plans in accordance with section 1115 of title 31,
11 United States Code, for the activities of the Com-
12 mission carried out under this Act.

13 (2) REPORTS.—

14 (A) ANNUAL REPORT.—The Commission
15 shall submit to Congress an annual report that
16 contains a list of each gift, bequest, or devise
17 with a value of more than \$250, together with
18 the identity of the donor of each such gift, be-
19 quest, or devise.

20 (B) FINAL REPORT.—Not later than De-
21 cember 30, 2015, the Commission shall submit
22 to Congress a final report that contains—

23 (i) a summary of activities of the
24 Commission;

1 (ii) a final accounting of funds re-
2 ceived and expended by the Commission;
3 and

4 (iii) the findings and recommenda-
5 tions of the Commission.

6 **SEC. 7. GRANT PROGRAM.**

7 (a) GRANTS AUTHORIZED.—The National Endow-
8 ment for the Humanities shall award grants under this
9 section for the uses described in subsection (b).

10 (b) USE OF GRANTS.—Grants awarded under this
11 section shall be used for appropriate activities relating to
12 the sesquicentennial of the Civil War.

13 (c) CONSIDERATION.—In awarding grants under this
14 section, the National Endowment of the Humanities shall
15 consider established university, museum, or academic pro-
16 grams with national scope that sponsor multidisciplinary
17 projects, including those that concentrate on the role of
18 African Americans in the Civil War.

19 **SEC. 8. POWERS OF THE COMMISSION.**

20 (a) IN GENERAL.—The Commission may—

21 (1) solicit, accept, use, and dispose of gifts, be-
22 quests, or devises of money or other real or personal
23 property for the purpose of aiding or facilitating the
24 work of the Commission;

1 (2) appoint any advisory committee as the
2 Commission considers appropriate for the purposes
3 of this Act;

4 (3) authorize any voting member or employee of
5 the Commission to take any action that the Commis-
6 sion is authorized to take under this Act;

7 (4) procure supplies, services, and property, and
8 make or enter into contracts, leases, or other legal
9 agreements to carry out this Act (except that any
10 contracts, leases, or other legal agreements entered
11 into by the Commission shall not extend beyond the
12 date of the termination of the Commission); and

13 (5) use the United States mails in the same
14 manner and under the same conditions as other
15 Federal agencies.

16 **SEC. 9. PERSONNEL MATTERS.**

17 (a) **COMPENSATION OF MEMBERS.**—Members of the
18 Commission, and members of any advisory committee ap-
19 pointed under section 8(a)(2), shall serve without com-
20 pensation.

21 (b) **TRAVEL EXPENSES.**—Members of the Commis-
22 sion, and members of any advisory committees appointed
23 under section 8(a)(2), shall be allowed travel expenses, in-
24 cluding per diem in lieu of subsistence, at rates authorized
25 for an employee of an agency under subchapter I of chap-

1 ter 57 of title 5, United States Code, while away from
2 the home or regular place of business of the member in
3 the performance of the duties of the Commission.

4 (c) STAFF.—

5 (1) IN GENERAL.—The Chairperson of the
6 Commission may, without regard to civil service laws
7 (including regulations), appoint and terminate an ex-
8 ecutive director and such other additional personnel
9 as are necessary to enable the Commission to per-
10 form the duties of the Commission.

11 (2) CONFIRMATION OF EXECUTIVE DIREC-
12 TOR.—The employment of an executive director shall
13 be subject to confirmation by the Commission.

14 (3) COMPENSATION.—

15 (A) IN GENERAL.—Except as provided in
16 subparagraph (B), the Chairperson of the Com-
17 mission may fix the compensation of the execu-
18 tive director and other personnel without regard
19 to the provisions of chapter 51 and subchapter
20 III of chapter 53 of title 5, United States Code,
21 relating to classification of positions and Gen-
22 eral Schedule pay rates.

23 (B) MAXIMUM RATE OF PAY.—The rate of
24 pay for the executive director and other per-
25 sonnel shall not exceed the rate payable for

1 level V of the Executive Schedule under section
2 5316 of title 5, United States Code.

3 (d) **DETAIL OF GOVERNMENT EMPLOYEES.**—

4 (1) **IN GENERAL.**—At the request of the Com-
5 mission, the head of any Federal agency may detail,
6 on a reimbursable or nonreimbursable basis, any of
7 the personnel of the agency to the Commission to as-
8 sist the Commission in carrying out the duties of the
9 Commission under this Act.

10 (2) **CIVIL SERVICE STATUS.**—The detail of an
11 employee under paragraph (1) shall be without inter-
12 ruption or loss of civil service status or privilege.

13 (e) **VOLUNTEER AND UNCOMPENSATED SERVICES.**—
14 Notwithstanding section 1342 of title 31, United States
15 Code, the Commission may accept and use voluntary and
16 uncompensated services as the Commission determines
17 necessary.

18 (f) **SUPPORT SERVICES.**—The Director of the Na-
19 tional Park Service shall provide to the Commission, on
20 a reimbursable basis, such administrative support services
21 as the Commission may request.

22 (g) **PROCUREMENT OF TEMPORARY AND INTERMIT-**
23 **TENT SERVICES.**—The Chairperson of the Commission
24 may procure temporary and intermittent services under
25 section 3109(b) of title 5, United States Code, at daily

1 rates for individuals which do not exceed the daily equiva-
2 lent of the annual rate of basic pay prescribed for level
3 V of the Executive Schedule under section 5316 of such
4 title.

5 (h) FACA NONAPPLICABILITY.—Section 14(b) of the
6 Federal Advisory Committee Act (5 U.S.C. App.) shall not
7 apply to the Commission.

8 (i) TERMINATION.—The Commission shall terminate
9 on the date that is 90 days after the date on which the
10 Commission submits its report under section 6(b)(2).

11 **SEC. 10. AUDIT OF COMMISSION.**

12 The Inspector General of the Department of the Inte-
13 rior shall perform an annual audit of the Commission and
14 shall make the results of the audit available to the public.

15 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) IN GENERAL.—There is authorized to be appro-
17 priated to carry out this Act (other than section 7)
18 \$200,000 for each of the fiscal years 2005 through 2016.

19 (b) GRANTS.—There is authorized to be appropriated
20 \$3,500,000 to the National Endowment for the Human-

1 ities to provide grants under section 7, to remain available
2 until expended.

Passed the House of Representatives September 22,
2004.

Attest:

Clerk.