

110TH CONGRESS
1ST SESSION

S. 1148

To establish the Champlain Quadricentennial Commemoration Commission and the Hudson-Fulton 400th Commemoration Commission, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2007

Mrs. CLINTON (for herself, Mr. SCHUMER, Mr. LEAHY, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Champlain Quadricentennial Commemoration Commission and the Hudson-Fulton 400th Commemoration Commission, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Hudson-Fulton-Champlain Quadricentennial Commemo-
6 ration Commission Act of 2007”.

7 (b) **TABLE OF CONTENTS.**—The table of contents of
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings; purpose.

Sec. 3. Coordination.

TITLE I—CHAMPLAIN QUADRICENTENNIAL COMMEMORATION
COMMISSION

Sec. 101. Definitions.

Sec. 102. Establishment of Champlain Commission.

Sec. 103. Duties.

Sec. 104. Powers.

Sec. 105. Champlain Commission personnel matters.

Sec. 106. Audit of Champlain Commission.

Sec. 107. Authorization of appropriations.

Sec. 108. Termination of Champlain Commission.

TITLE II—HUDSON-FULTON 400TH COMMEMORATION
COMMISSION

Sec. 201. Definitions.

Sec. 202. Establishment of Hudson-Fulton Commission.

Sec. 203. Duties.

Sec. 204. Powers.

Sec. 205. Hudson-Fulton Commission personnel matters.

Sec. 206. Audit of Hudson-Fulton Commission.

Sec. 207. Authorization of appropriations.

Sec. 208. Termination of Hudson-Fulton Commission.

1 SEC. 2. FINDINGS; PURPOSE.

2 (a) FINDINGS.—Congress finds that—

3 (1) the first European exploration of the Hud-
4 son River and Lake Champlain and the introduction
5 of steam navigation to maritime commerce were
6 events of major historical importance, both in the
7 United States and internationally;

8 (2) in 1609—

9 (A) Englishman Henry Hudson, acting in
10 service of the Dutch East India Company, was
11 the first European to sail up the river later
12 named for him in the vessel Half Moon; and

13 (B) French explorer Samuel de Champlain
14 was the first European to see—

1 (i) the lake later named for him; and

2 (ii) the shores of the northern regions

3 of the States of New York and Vermont;

4 (3) those voyages—

5 (A) were 2 of the most significant passages

6 in the European exploration and discovery of

7 America; and

8 (B) began 2 of the earliest contacts in the

9 New World between Native Americans and Eu-

10 ropeans;

11 (4) those explorations led to the establishment

12 of—

13 (A) Fort Orange, a Dutch, and later

14 English, settlement of what is now the capital

15 city of the State of New York; and

16 (B) French Quebec settlements as far

17 south as Lake George;

18 (5) the establishment of the settlements de-

19 scribed in paragraph (4) extended the trade, com-

20 merce, culture, and religion of the European settlers

21 deep into the Mohawk Valley and as far west as

22 Lake Erie;

23 (6) the early settlements of Fort George and

24 the numerous French Quebec settlements influenced

1 the history, culture, law, commerce, and traditions of
2 liberty of the United States that—

3 (A) extend to the present day; and

4 (B) are constantly reflected in the position
5 of the United States as the leader of the coun-
6 tries of the free world;

7 (7) in 1807, Robert Fulton navigated the Hud-
8 son River from the city of New York to Albany in
9 the steamboat Clermont, successfully inaugurating
10 steam navigation on a commercial basis;

11 (8) the successful navigation of the Hudson
12 River was 1 of the most important events in the his-
13 tory of navigation because that navigation—

14 (A) revolutionized waterborne commerce on
15 the great rivers of the United States;

16 (B) transformed naval warfare; and

17 (C) fostered international relations through
18 transoceanic travel and trade; and

19 (9) in 2000, the province of Quebec—

20 (A) established a commission known as the
21 “Quebec 400 Commission”;

22 (B) granted to the Quebec 400 Commis-
23 sion a budget of an amount not less than
24 \$1,000,000; and

1 (C) included in the responsibilities of the
2 Quebec 400 Commission a commemoration of
3 the Champlain voyage of 1609.

4 (b) PURPOSES.—The purposes of this Act are to es-
5 tablish the Champlain Commission and the Hudson-Ful-
6 ton Commission—

7 (1) to ensure a suitable national observance of
8 the anniversaries of Henry Hudson, Robert Fulton,
9 and Samuel de Champlain in 2009 through coopera-
10 tion with, and assistance to, the programs and ac-
11 tivities of the States of New York and Vermont, and
12 the commemorative commissions formed by those
13 States;

14 (2) to assist in ensuring that Hudson-Fulton-
15 Champlain 2009 observances provide an excellent
16 visitor experience and beneficial interaction between
17 visitors and the natural and cultural resources of the
18 sites located in the States;

19 (3) to assist in ensuring that Hudson-Fulton-
20 Champlain 2009 observances are inclusive and ap-
21 propriately recognize the diverse Hudson River and
22 Lake Champlain communities that developed over 4
23 centuries;

24 (4) to facilitate international involvement (in-
25 cluding the involvement of the Quebec 400 Commis-

1 sion) in the Hudson-Fulton-Champlain 2009 observ-
2 ances;

3 (5) to support and facilitate marketing efforts
4 for—

5 (A) a commemorative coin;

6 (B) a commemorative stamp; and

7 (C) related activities for the Hudson-Ful-
8 ton-Champlain 2009 observances;

9 (6) to assist in the appropriate development of
10 heritage tourism and economic benefits to the
11 United States; and

12 (7) to support and facilitate the related efforts
13 of the Lake Champlain Basin Program in the co-
14 ordination of efforts to commemorate the voyage of
15 Samuel de Champlain.

16 **SEC. 3. COORDINATION.**

17 Each commission established under this Act shall co-
18 ordinate with the other respective commission established
19 under this Act to ensure that commemorations of Henry
20 Hudson, Robert Fulton, and Samuel de Champlain are—

21 (1) consistent with the plans and programs of
22 the commemorative commissions established by the
23 States of New York and Vermont; and

24 (2) well-organized and successful.

1 **TITLE I—CHAMPLAIN QUADRI-**
2 **CENTENNIAL COMMEMORA-**
3 **TION COMMISSION**

4 **SEC. 101. DEFINITIONS.**

5 In this title:

6 (1) CHAMPLAIN COMMISSION.—The term
7 “Champlain Commission” means the Champlain
8 Quadricentennial Commemoration Commission es-
9 tablished by section 102(a).

10 (2) COMMEMORATION.—The term “commemo-
11 ration” means the commemoration of the 400th an-
12 niversary of the voyage of Samuel de Champlain.

13 (3) LAKE CHAMPLAIN BASIN PROGRAM.—The
14 term “Lake Champlain Basin Program” means the
15 partnership established by section 120 of the Fed-
16 eral Water Pollution Control Act (33 U.S.C. 1270)
17 between the States of New York and Vermont and
18 Federal agencies to carry out the Lake Champlain
19 management plan entitled, “Opportunities for Ac-
20 tion: An Evolving Plan for the Lake Champlain
21 Basin”.

22 (4) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior.

24 (5) STATES.—

1 (A) IN GENERAL.—The term “States”
2 means the States of New York and Vermont.

3 (B) INCLUSIONS.—The term “States” in-
4 cludes political subdivisions of the States.

5 **SEC. 102. ESTABLISHMENT OF CHAMPLAIN COMMISSION.**

6 (a) IN GENERAL.—There is established a commission
7 to be known as the “Champlain Quadricentennial Com-
8 memoration Commission”.

9 (b) MEMBERSHIP.—

10 (1) COMPOSITION.—The Champlain Commis-
11 sion shall be composed of 11 members, of whom—

12 (A) 2 members shall be employees of the
13 National Park Service, of whom—

14 (i) 1 shall be the Director of the Na-
15 tional Park Service (or a designee); and

16 (ii) 1 shall be an employee of the Na-
17 tional Park Service having experience rel-
18 evant to the commemoration, who shall be
19 appointed by the Secretary;

20 (B) 4 members shall be appointed by the
21 Secretary from among individuals who, on the
22 date of enactment of this Act, are—

23 (i) serving as members of the Hudson-
24 Fulton-Champlain Quadricentennial Com-
25 mission of the State of New York; and

1 (ii) residents of Champlain Valley,
2 New York;

3 (C) 4 members shall be appointed by the
4 Secretary from among individuals who, on the
5 date of enactment of this Act, are—

6 (i) serving as members of the Lake
7 Champlain Quadricentennial Commission
8 of the State of Vermont; and

9 (ii) residents of the State of Vermont;
10 and

11 (D) 1 member shall be appointed by the
12 Secretary, and shall be an individual who has—

13 (i) an interest in, support for, and ex-
14 pertise appropriate with respect to, the
15 commemoration; and

16 (ii) knowledge relating to the history
17 of the Champlain Valley.

18 (2) TERM; VACANCIES.—

19 (A) TERM.—A member of the Champlain
20 Commission shall be appointed for the life of
21 the Champlain Commission.

22 (B) VACANCIES.—

23 (i) IN GENERAL.—A vacancy on the
24 Champlain Commission shall be filled in

1 the same manner in which the original ap-
2 pointment was made.

3 (ii) PARTIAL TERM.—A member ap-
4 pointed to fill a vacancy on the Champlain
5 Commission shall serve for the remainder
6 of the term for which the predecessor of
7 the member was appointed.

8 (3) INITIAL MEETING.—Not later than 30 days
9 after the date on which all members of the Cham-
10 plain Commission have been appointed, the Cham-
11 plain Commission shall hold the initial meeting of
12 the Champlain Commission.

13 (4) MEETINGS.—The Champlain Commission
14 shall meet—

15 (A) at least twice each year; or

16 (B) at the call of the Chairperson or the
17 majority of the members of the Champlain
18 Commission.

19 (5) QUORUM.—A majority of voting members
20 shall constitute a quorum, but a lesser number may
21 hold meetings.

22 (6) CHAIRPERSON AND VICE CHAIRPERSON.—

23 (A) ELECTION.—The Champlain Commis-
24 sion shall elect the Chairperson and the Vice

1 Chairperson of the Champlain Commission on
2 an annual basis.

3 (B) ABSENCE OF THE CHAIRPERSON.—

4 The Vice Chairperson shall serve as the Chair-
5 person in the absence of the Chairperson.

6 (7) VOTING.—The Champlain Commission shall
7 act only on an affirmative vote of a majority of the
8 voting members of the Champlain Commission.

9 **SEC. 103. DUTIES.**

10 (a) IN GENERAL.—The Champlain Commission
11 shall—

12 (1) plan, develop, and execute programs and ac-
13 tivities appropriate to commemorate the 400th anni-
14 versary of the voyage of Samuel de Champlain, the
15 first European to discover and explore Lake Cham-
16 plain;

17 (2) facilitate activities relating to the Cham-
18 plain Quadricentennial throughout the United
19 States;

20 (3) coordinate the activities of the Champlain
21 Commission with—

22 (A) State commemoration commissions;

23 (B) appropriate Federal agencies, includ-
24 ing—

25 (i) the Department of Agriculture;

- 1 (ii) the Department of Defense;
- 2 (iii) the Department of State; and
- 3 (iv) the Department of Transpor-
- 4 tation;
- 5 (C) the Lake Champlain Basin Program;
- 6 (D) the Chairman of the National Endow-
- 7 ment for the Arts; and
- 8 (E) the Secretary of the Smithsonian Insti-
- 9 tution;
- 10 (4) encourage civic, patriotic, historical, edu-
- 11 cational, artistic, religious, economic, and other or-
- 12 ganizations throughout the United States to orga-
- 13 nize and participate in anniversary activities to ex-
- 14 pand the understanding and appreciation of the sig-
- 15 nificance of the voyage of Samuel de Champlain;
- 16 (5) provide technical assistance to States, local-
- 17 ities, and nonprofit organizations to further the com-
- 18 memoration;
- 19 (6) coordinate and facilitate for the public
- 20 scholarly research on, publication about, and inter-
- 21 pretation of, the voyage of Samuel de Champlain;
- 22 (7) ensure that the Champlain 2009 anniver-
- 23 sary provides a lasting legacy and a long-term public
- 24 benefit by assisting in the development of appro-
- 25 priate programs and facilities;

1 (8) help ensure that the observances of the voy-
2 age of Samuel de Champlain are inclusive and ap-
3 propriately recognize the experiences and heritage of
4 all people present when Samuel de Champlain ar-
5 rived in the Champlain Valley; and

6 (9) consult and coordinate with the Lake
7 Champlain Basin Program and other relevant orga-
8 nizations to plan and develop programs and activi-
9 ties to commemorate the voyage of Samuel de
10 Champlain.

11 (b) STRATEGIC PLAN AND ANNUAL PERFORMANCE
12 PLANS.—The Champlain Commission shall prepare—

13 (1) a strategic plan in accordance with section
14 306 of title 5, United States Code, for each day (in-
15 cluding travel time) during which the member is en-
16 gaged in the performance of the duties of the Cham-
17 plain Commission; and

18 (2) annual performance plans in accordance
19 with section 1115 of title 31, United States Code,
20 for the activities of the Champlain Commission car-
21 ried out under this Act.

22 (c) REPORTS.—

23 (1) ANNUAL REPORTS.—The Champlain Com-
24 mission shall annually submit to Congress a report
25 that contains—

1 (A) a list of each gift, bequest, or devise
2 with a value of more than \$250; and

3 (B) the identity of the donor of each gift,
4 bequest, or devise provided in subparagraph
5 (A).

6 (2) FINAL REPORT.—Not later than **【Sep-**
7 **tember 30, 2010】**, the Champlain Commission shall
8 submit to the Secretary a final report that con-
9 tains—

10 (A) a summary of the activities of the
11 Champlain Commission;

12 (B) a final accounting of funds received
13 and expended by the Champlain Commission;
14 and

15 (C) the findings and recommendations of
16 the Champlain Commission.

17 **SEC. 104. POWERS.**

18 (a) GIFTS.—The Champlain Commission may solicit,
19 accept, use, and dispose of gifts, bequests, or devises of
20 money or other real or personal property for aiding or fa-
21 cilitating the work of the Champlain Commission.

22 (b) APPOINTMENT OF ADVISORY COMMITTEES.—The
23 Champlain Commission may appoint such advisory com-
24 mittees as the Champlain Commission determines to be
25 necessary to carry out this Act.

1 (c) AUTHORIZATION OF ACTION.—The Champlain
2 Commission may authorize any member or employee of the
3 Champlain Commission to take any action that the Cham-
4 plain Commission is authorized to take under this Act.

5 (d) PROCUREMENT.—The Champlain Commission
6 may procure supplies, services, and property, and make
7 or enter into contracts, leases, or other legal agreements,
8 to carry out this Act (except that a contract, lease, or
9 other legal agreement made or entered into by the Cham-
10 plain Commission (or with administrative assistance from
11 the Lake Champlain Basin Program) shall not extend be-
12 yond the date of termination of the Champlain Commis-
13 sion).

14 (e) POSTAL SERVICES.—The Champlain Commission
15 may use the United States mails in the same manner and
16 under the same conditions as other agencies of the Federal
17 Government.

18 (f) GRANTS.—Subject to approval by the Champlain
19 Commission, the Champlain Commission may—

20 (1) make grants in amounts not to exceed
21 \$20,000 to communities, nonprofit organizations,
22 and State commemorative commissions to develop
23 programs to assist in the commemoration; and

24 (2) make grants in amounts not to exceed
25 \$20,000 to research and scholarly organizations to

1 research, publish, or distribute information relating
2 to the early history of the voyage of Samuel de
3 Champlain.

4 (g) TECHNICAL ASSISTANCE.—The Champlain Com-
5 mission shall provide technical assistance to States, local-
6 ities, and nonprofit organizations to further the com-
7 memoration.

8 (h) COORDINATION AND CONSULTATION WITH LAKE
9 CHAMPLAIN BASIN PROGRAM.—The Champlain Commis-
10 sion shall coordinate and consult with the Lake Champlain
11 Basin Program to provide grants and technical assistance
12 under subsections (f) and (g) for the development of ac-
13 tivities commemorating the voyage of Samuel de Cham-
14 plain.

15 **SEC. 105. CHAMPLAIN COMMISSION PERSONNEL MATTERS.**

16 (a) COMPENSATION OF MEMBERS.—

17 (1) IN GENERAL.—Except as provided in para-
18 graph (2), a member of the Champlain Commission
19 shall serve without compensation.

20 (2) FEDERAL EMPLOYEES.—A member of the
21 Champlain Commission who is an officer or em-
22 ployee of the Federal Government shall serve with-
23 out compensation in addition to the compensation
24 received for the services of the member as an officer
25 or employee of the Federal Government.

1 (b) TRAVEL EXPENSES.—A member of the Cham-
2 plain Commission shall be allowed travel expenses, includ-
3 ing per diem in lieu of subsistence, at rates authorized
4 for an employee of an agency under subchapter I of chap-
5 ter 57 of title 5, United States Code, while away from
6 the home or regular place of business of the member in
7 the performance of the duties of the Champlain Commis-
8 sion.

9 (c) STAFF.—

10 (1) IN GENERAL.—The Chairperson of the
11 Champlain Commission may, without regard to the
12 civil service laws (including regulations), appoint and
13 terminate an Executive Director and such other ad-
14 ditional personnel as are necessary to enable the
15 Champlain Commission to perform the duties of the
16 Champlain Commission.

17 (2) CONFIRMATION OF EXECUTIVE DIREC-
18 TOR.—The employment of an Executive Director
19 shall be subject to confirmation by the Champlain
20 Commission.

21 (d) COMPENSATION.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), the Chairperson of the Champlain Com-
24 mission may fix the compensation of the Executive
25 Director and other personnel without regard to the

1 provisions of chapter 51 and subchapter III of chap-
2 ter 53 of title 5, United States Code, relating to
3 classification of positions and General Schedule pay
4 rates.

5 (2) MAXIMUM RATE OF PAY.—The rate of pay
6 for the Executive Director and other personnel shall
7 not exceed the rate payable for level V of the Execu-
8 tive Schedule under section 5316 of title 5, United
9 States Code.

10 (e) DETAIL OF GOVERNMENT EMPLOYEES.—

11 (1) FEDERAL EMPLOYEES.—

12 (A) IN GENERAL.—At the request of the
13 Champlain Commission, the head of any Fed-
14 eral agency may detail, on a reimbursable or
15 nonreimbursable basis, any of the personnel of
16 the agency to the Champlain Commission to as-
17 sist the Champlain Commission in carrying out
18 the duties of the Champlain Commission under
19 this Act.

20 (B) CIVIL SERVICE STATUS.—The detail of
21 an employee under subparagraph (A) shall be
22 without interruption or loss of civil service sta-
23 tus or privilege.

24 (2) STATE EMPLOYEES.—The Champlain Com-
25 mission may—

1 (A) accept the services of personnel de-
2 tailed from States (including subdivisions of
3 States); and

4 (B) reimburse States for services of de-
5 tailed personnel.

6 (3) LAKE CHAMPLAIN BASIN PROGRAM EM-
7 PLOYEES.—The Champlain Commission may—

8 (A) accept the services of personnel de-
9 tailed from the Lake Champlain Basin Pro-
10 gram; and

11 (B) reimburse the Lake Champlain Basin
12 Program for services of detailed personnel.

13 (4) PROCUREMENT OF TEMPORARY AND INTER-
14 MITTENT SERVICES.—The Chairperson of the Cham-
15 plain Commission may procure temporary and inter-
16 mittent services in accordance with section 3109(b)
17 of title 5, United States Code, at rates for individ-
18 uals that do not exceed the daily equivalent of the
19 annual rate of basic pay prescribed for level V of the
20 Executive Schedule under section 5316 of that title.

21 (f) VOLUNTEER AND UNCOMPENSATED SERVICES.—
22 Notwithstanding section 1342 of title 31, United States
23 Code, the Champlain Commission may accept and use vol-
24 untary and uncompensated services as the Champlain
25 Commission determines necessary.

1 (g) SUPPORT SERVICES.—The Director of the Na-
2 tional Park Service shall provide to the Champlain Com-
3 mission, on a reimbursable basis, such administrative sup-
4 port services as the Champlain Commission may request.

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 Champlain Commission.

8 (i) NO EFFECT ON AUTHORITY.—Nothing in this
9 section supersedes the authority of the States or the Na-
10 tional Park Service concerning the commemoration.

11 **SEC. 106. AUDIT OF CHAMPLAIN COMMISSION.**

12 The Inspector General of the Department of the Inte-
13 rior shall—

14 (1) annually conduct an audit of the Champlain
15 Commission;

16 (2) make available to the public the results of
17 the annual audit; and

18 (3) submit the results of the annual audit to
19 the Committee on Government Reform of the House
20 of Representatives.

21 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) IN GENERAL.—There is authorized to be appro-
23 priated to carry out this Act \$500,000 for each of fiscal
24 years **【2008 through 2011】**, to remain available until ex-
25 pended.

1 (b) ALLOCATION.—Of amounts made available under
2 subsection (a) for fiscal year **【2008】** and each fiscal year
3 thereafter—

4 (1) 45 percent shall be provided for activities in
5 the State of New York relating to the commemora-
6 tion of Samuel de Champlain;

7 (2) 45 percent shall be provided for activities in
8 the State of Vermont relating to the commemoration
9 of Samuel de Champlain; and

10 (3) 10 percent shall be distributed by the
11 Champlain Commission for activities relating to the
12 commemoration of Samuel de Champlain, in accord-
13 ance with this Act.

14 **SEC. 108. TERMINATION OF CHAMPLAIN COMMISSION.**

15 (a) DATE OF TERMINATION.—The Champlain Com-
16 mission shall terminate on **【December 31, 2010】**.

17 (b) TRANSFER OF DOCUMENTS AND MATERIALS.—
18 Before the date of termination specified in subsection (a),
19 the Champlain Commission shall transfer all documents
20 and materials of the Champlain Commission to the Na-
21 tional Archives or another appropriate Federal entity.

1 **TITLE** **II—HUDSON-FULTON**
2 **400TH** **COMMEMORATION**
3 **COMMISSION**

4 **SEC. 201. DEFINITIONS.**

5 In this title:

6 (1) **COMMEMORATION.**—The term “commemo-
7 ration” means the commemoration of—

8 (A) the 200th anniversary of the voyage of
9 Robert Fulton in the Clermont; and

10 (B) the 400th anniversary of the voyage of
11 Henry Hudson in the Half Moon.

12 (2) **GOVERNOR.**—The term “Governor” means
13 the Governor of the State of New York.

14 (3) **HUDSON-FULTON COMMISSION.**—The term
15 “Hudson-Fulton Commission” means the Hudson-
16 Fulton 400th Commemoration Commission estab-
17 lished by section 202(a).

18 (4) **SECRETARY.**—The term “Secretary” means
19 the Secretary of the Interior.

20 (5) **STATE.**—

21 (A) **IN GENERAL.**—The term “State”
22 means the State of New York.

23 (B) **INCLUSIONS.**—The term “State” in-
24 cludes political subdivisions of that State.

1 **SEC. 202. ESTABLISHMENT OF HUDSON-FULTON COMMIS-**
2 **SION.**

3 (a) **ESTABLISHMENT.**—There is established a com-
4 mission to be known as the “Hudson-Fulton 400th Com-
5 memoration Commission”.

6 (b) **MEMBERSHIP.**—

7 (1) **COMPOSITION.**—The Hudson-Fulton Com-
8 mission shall be composed of 16 members, of
9 whom—

10 (A) 1 member shall be appointed by the
11 Secretary, after taking into consideration the
12 recommendation of the Governor;

13 (B) 6 members shall be appointed by the
14 Secretary, after taking into consideration the
15 recommendations of the Members of the House
16 of Representatives whose districts encompass
17 the Hudson River Valley;

18 (C) 2 members shall be appointed by the
19 Secretary, after taking into consideration the
20 recommendations of the Members of the Senate
21 from the State of New York;

22 (D) 2 members shall be employees of the
23 National Park Service, of whom—

24 (i) 1 shall be the Director of the Na-
25 tional Park Service (or a designee); and

1 (ii) 1 shall be an employee of the Na-
2 tional Park Service having experience rel-
3 evant to the commemoration, who shall be
4 appointed by the Secretary;

5 (E) 2 members shall be appointed by the
6 Secretary, and shall be individuals that have an
7 interest in, support for, and expertise appro-
8 priate with respect to, the commemoration, of
9 whom—

10 (i) 1 member shall be an individual
11 with expertise in the Hudson River Valley
12 National Heritage Area; and

13 (ii) 1 member shall be an individual
14 with expertise in the State of New York, as
15 it relates to the commemoration;

16 (F) 1 member shall be the Chairperson of
17 a commemorative commission formed by the
18 State of New York (or the designee of the
19 Chairperson); and

20 (G) 2 members shall be appointed by the
21 Secretary, after—

22 (i) taking into consideration the rec-
23 ommendation of the Mayor of the city of
24 New York; and

1 (ii) consulting the Members of the
2 House of Representatives whose districts
3 encompass the city of New York.

4 (2) TERM; VACANCIES.—

5 (A) TERM.—A member of the Hudson-Ful-
6 ton Commission shall be appointed for the life
7 of the Hudson-Fulton Commission.

8 (B) VACANCIES.—

9 (i) IN GENERAL.—A vacancy on the
10 Hudson-Fulton Commission shall be filled
11 in the same manner in which the original
12 appointment was made.

13 (ii) PARTIAL TERM.—A member ap-
14 pointed to fill a vacancy on the Hudson-
15 Fulton Commission shall serve for the re-
16 mainder of the term for which the prede-
17 cessor of the member was appointed.

18 (3) INITIAL MEETING.—Not later than 30 days
19 after the date on which all members of the Hudson-
20 Fulton Commission have been appointed, the Hud-
21 son-Fulton Commission shall hold the initial meeting
22 of the Hudson-Fulton Commission.

23 (4) MEETINGS.—The Hudson-Fulton Commis-
24 sion shall meet—

25 (A) at least twice each year; or

1 (B) at the call of the Chairperson or the
2 majority of the members of the Hudson-Fulton
3 Commission.

4 (5) QUORUM.—A majority of voting members
5 shall constitute a quorum, but a lesser number may
6 hold meetings.

7 (6) CHAIRPERSON AND VICE CHAIRPERSON.—

8 (A) ELECTION.—The Hudson-Fulton Com-
9 mission shall elect the Chairperson and the Vice
10 Chairperson of the Hudson-Fulton Commission
11 on an annual basis.

12 (B) ABSENCE OF THE CHAIRPERSON.—
13 The Vice Chairperson shall serve as the Chair-
14 person in the absence of the Chairperson.

15 (7) VOTING.—The Hudson-Fulton Commission
16 shall act only on an affirmative vote of a majority
17 of the voting members of the Hudson-Fulton Com-
18 mission.

19 (8) NONVOTING MEMBER.—A member of the
20 Hudson-Fulton Commission appointed under sub-
21 paragraph (D)(ii) of paragraph (1) shall be a non-
22 voting member.

23 **SEC. 203. DUTIES.**

24 (a) IN GENERAL.—The Hudson-Fulton Commission
25 shall—

1 (1) plan, develop, and execute programs and ac-
2 tivities appropriate to commemorate—

3 (A) the 400th anniversary of the voyage of
4 Henry Hudson, the first European to sail up
5 the Hudson River; and

6 (B) the 200th anniversary of the voyage of
7 Robert Fulton, the first person to use steam
8 navigation on a commercial basis;

9 (2) facilitate activities relating to the Hudson-
10 Fulton-Champlain Quadricentennial throughout the
11 United States;

12 (3) coordinate the activities of the Hudson-Ful-
13 ton Commission with—

14 (A) State commemoration commissions;

15 (B) appropriate Federal agencies, includ-
16 ing—

17 (i) the Department of Agriculture;

18 (ii) the Department of Defense;

19 (iii) the Department of State; and

20 (iv) the Department of Transpor-
21 tation;

22 (C) the Director of the National Park
23 Service, with respect to the Hudson River Val-
24 ley National Heritage Area;

1 (D) the American Heritage Rivers Initia-
2 tive Interagency Committee established by Ex-
3 ecutive Order 13061, dated September 11,
4 1997;

5 (E) the Chairman of the National Endow-
6 ment for the Humanities;

7 (F) the Chairman of the National Endow-
8 ment for the Arts; and

9 (G) the Secretary of the Smithsonian Insti-
10 tution;

11 (4) encourage civic, patriotic, historical, edu-
12 cational, artistic, religious, economic, and other or-
13 ganizations throughout the United States to orga-
14 nize and participate in anniversary activities to ex-
15 pand the understanding and appreciation of the sig-
16 nificance of the voyages of Henry Hudson and Rob-
17 ert Fulton;

18 (5) provide technical assistance to States, local-
19 ities, and nonprofit organizations to further the com-
20 memoration;

21 (6) coordinate and facilitate for the public
22 scholarly research on, publication about, and inter-
23 pretation of, the voyages of Henry Hudson and Rob-
24 ert Fulton;

1 (7) ensure that the Hudson-Fulton 2009 com-
 2 memorations provide a lasting legacy and long-term
 3 public benefit by assisting in the development of ap-
 4 propriate programs and facilities; and

5 (8) help ensure that the observances of Henry
 6 Hudson are inclusive and appropriately recognize the
 7 experiences and heritage of all people present when
 8 Henry Hudson sailed the Hudson River.

9 (b) STRATEGIC PLAN AND ANNUAL PERFORMANCE
 10 PLANS.—The Hudson-Fulton Commission shall prepare—

11 (1) a strategic plan in accordance with section
 12 306 of title 5, United States Code, for each day (in-
 13 cluding travel time) during which the member is en-
 14 gaged in the performance of the duties of the Hud-
 15 son-Fulton Commission; and

16 (2) annual performance plans in accordance
 17 with section 1115 of title 31, United States Code,
 18 for the activities of the Hudson-Fulton Commission
 19 carried out under this Act.

20 (c) REPORTS.—

21 (1) ANNUAL REPORTS.—The Hudson-Fulton
 22 Commission shall annually submit to Congress a re-
 23 port that contains—

24 (A) a list of each gift, bequest, or devise
 25 with a value of more than \$250; and

1 (B) the identity of the donor of each gift,
2 bequest, or devise provided under subparagraph
3 (A).

4 (2) FINAL REPORT.—Not later than [Sep-
5 tember 30, 2010], the Hudson-Fulton Commission
6 shall submit to the Secretary a final report that con-
7 tains—

8 (A) a summary of the activities of the
9 Hudson-Fulton Commission;

10 (B) a final accounting of funds received
11 and expended by the Hudson-Fulton Commis-
12 sion; and

13 (C) the findings and recommendations of
14 the Hudson-Fulton Commission.

15 **SEC. 204. POWERS.**

16 (a) GIFTS.—The Hudson-Fulton Commission may
17 solicit, accept, use, and dispose of gifts, bequests, or de-
18 vises of money or other real or personal property for use
19 in aiding or facilitating the work of the Hudson-Fulton
20 Commission.

21 (b) APPOINTMENT OF ADVISORY COMMITTEES.—The
22 Hudson-Fulton Commission may appoint such advisory
23 committees as the Hudson-Fulton Commission determines
24 to be necessary to carry out this Act.

1 (c) AUTHORIZATION OF ACTION.—The Hudson-Ful-
2 ton Commission may authorize any member or employee
3 of the Hudson-Fulton Commission to take any action that
4 the Hudson-Fulton Commission is authorized to take
5 under this Act.

6 (d) PROCUREMENT.—The Hudson-Fulton Commis-
7 sion may procure supplies, services, and property, and
8 make or enter into contracts, leases, or other legal agree-
9 ments, to carry out this Act (except that a contract, lease,
10 or other legal agreement made or entered into by the Hud-
11 son-Fulton Commission shall not extend beyond the date
12 of termination of the Hudson-Fulton Commission).

13 (e) POSTAL SERVICES.—The Hudson-Fulton Com-
14 mission may use the United States mails in the same man-
15 ner and under the same conditions as other agencies of
16 the Federal Government.

17 (f) GRANTS.—Subject to approval by the Hudson-
18 Fulton Commission, the Hudson-Fulton Commission
19 may—

20 (1) make grants in amounts not to exceed
21 \$20,000 to communities, nonprofit organizations,
22 and State commemorative commissions to develop
23 programs to assist in the commemoration; and

24 (2) make grants in amounts not to exceed
25 \$20,000 to research and scholarly organizations to

1 research, publish, or distribute information relating
2 to the early history of the voyages of Hudson and
3 Fulton.

4 (g) TECHNICAL ASSISTANCE.—The Hudson-Fulton
5 Commission shall provide technical assistance to States,
6 localities, and nonprofit organizations to further the com-
7 memoration.

8 **SEC. 205. HUDSON-FULTON COMMISSION PERSONNEL MAT-**
9 **TERS.**

10 (a) COMPENSATION OF MEMBERS.—

11 (1) IN GENERAL.—Except as provided in para-
12 graph (2), a member of the Hudson-Fulton Commis-
13 sion shall serve without compensation.

14 (2) FEDERAL EMPLOYEES.—A member of the
15 Hudson-Fulton Commission who is an officer or em-
16 ployee of the Federal Government shall serve with-
17 out compensation in addition to the compensation
18 received for the services of the member as an officer
19 or employee of the Federal Government.

20 (b) TRAVEL EXPENSES.—A member of the Hudson-
21 Fulton Commission shall be allowed travel expenses, in-
22 cluding per diem in lieu of subsistence, at rates authorized
23 for an employee of an agency under subchapter I of chap-
24 ter 57 of title 5, United States Code, while away from
25 the home or regular place of business of the member in

1 the performance of the duties of the Hudson-Fulton Com-
2 mission.

3 (c) STAFF.—

4 (1) IN GENERAL.—The Chairperson of the
5 Hudson-Fulton Commission may, without regard to
6 the civil service laws (including regulations), appoint
7 and terminate an Executive Director and such other
8 additional personnel as are necessary to enable the
9 Hudson-Fulton Commission to perform the duties of
10 the Hudson-Fulton Commission.

11 (2) CONFIRMATION OF EXECUTIVE DIREC-
12 TOR.—The employment of an Executive Director
13 shall be subject to confirmation by the Hudson-Ful-
14 ton Commission.

15 (d) COMPENSATION.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), the Chairperson of the Hudson-Fulton
18 Commission may fix the compensation of the Execu-
19 tive Director and other personnel without regard to
20 the provisions of chapter 51 and subchapter III of
21 chapter 53 of title 5, United States Code, relating
22 to classification of positions and General Schedule
23 pay rates.

24 (2) MAXIMUM RATE OF PAY.—The rate of pay
25 for the Executive Director and other personnel shall

1 not exceed the rate payable for level V of the Execu-
2 tive Schedule under section 5316 of title 5, United
3 States Code.

4 (e) DETAIL OF GOVERNMENT EMPLOYEES.—

5 (1) FEDERAL EMPLOYEES.—

6 (A) IN GENERAL.—At the request of the
7 Hudson-Fulton Commission, the head of any
8 Federal agency may detail, on a reimbursable
9 or nonreimbursable basis, any of the personnel
10 of the agency to the Hudson-Fulton Commis-
11 sion to assist the Hudson-Fulton Commission in
12 carrying out the duties of the Hudson-Fulton
13 Commission under this Act.

14 (B) CIVIL SERVICE STATUS.—The detail of
15 an employee under subparagraph (A) shall be
16 without interruption or loss of civil service sta-
17 tus or privilege.

18 (2) STATE EMPLOYEES.—The Hudson-Fulton
19 Commission may—

20 (A) accept the services of personnel de-
21 tailed from States (including subdivisions of
22 States); and

23 (B) reimburse States for services of de-
24 tailed personnel.

1 (3) PROCUREMENT OF TEMPORARY AND INTER-
2 MITTENT SERVICES.—The Chairperson of the Hud-
3 son-Fulton Commission may procure temporary and
4 intermittent services in accordance with section
5 3109(b) of title 5, United States Code, at rates for
6 individuals that do not exceed the daily equivalent of
7 the annual rate of basic pay prescribed for level V
8 of the Executive Schedule under section 5316 of
9 that title.

10 (f) VOLUNTEER AND UNCOMPENSATED SERVICES.—
11 Notwithstanding section 1342 of title 31, United States
12 Code, the Hudson-Fulton Commission may accept and use
13 voluntary and uncompensated services as the Hudson-Ful-
14 ton Commission determines necessary.

15 (g) SUPPORT SERVICES.—The Director of the Na-
16 tional Park Service shall provide to the Hudson-Fulton
17 Commission, on a reimbursable basis, such administrative
18 support services as the Hudson-Fulton Commission may
19 request.

20 (h) FACA NONAPPLICABILITY.—Section 14(b) of the
21 Federal Advisory Committee Act (5 U.S.C. App.) shall not
22 apply to the Hudson-Fulton Commission.

23 (i) NO EFFECT ON AUTHORITY.—Nothing in this
24 section supersedes the authority of the States or the Na-
25 tional Park Service concerning the commemoration.

1 **SEC. 206. AUDIT OF HUDSON-FULTON COMMISSION.**

2 The Inspector General of the Department of the Inte-
3 rior shall—

4 (1) annually conduct an audit of the Hudson-
5 Fulton Commission;

6 (2) make available to the public the results of
7 the annual audit; and

8 (3) submit the results of the annual audit to
9 the Committee on Government Reform of the House
10 of Representatives.

11 **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) IN GENERAL.—There is authorized to be appro-
13 priated to carry out this Act \$500,000 for each of fiscal
14 years 2008 through 2011, to remain available until ex-
15 pended.

16 (b) ALLOCATION.—Of amounts made available under
17 subsection (a) for fiscal year 2008 and each fiscal year
18 thereafter—

19 (1) 80 percent shall be provided for activities in
20 the Hudson Valley relating to the commemoration;

21 (2) 10 percent shall be provided for activities in
22 the city of New York relating to the commemora-
23 tion; and

24 (3) 10 percent shall be distributed by the Hud-
25 son-Fulton Commission for activities relating to the
26 commemoration, in accordance with this Act.

1 **SEC. 208. TERMINATION OF HUDSON-FULTON COMMISSION.**

2 (a) DATE OF TERMINATION.—The Hudson-Fulton
3 Commission shall terminate on December 31, 2010.

4 (b) TRANSFER OF DOCUMENTS AND MATERIALS.—
5 Before the date of termination specified in subsection (a),
6 the Hudson-Fulton Commission shall transfer all docu-
7 ments and materials of the Hudson-Fulton Commission
8 to the National Archives or another appropriate Federal
9 entity.

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