

107TH CONGRESS
2^D SESSION

S. 2635

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

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2002

Mrs. CLINTON introduced the following bill; which was read twice and referred
to the Committee on Energy and Natural Resources

A BILL

To establish the Hudson-Fulton-Champlain 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.**

4 This Act may be cited as the “Hudson-Fulton-Cham-
5 plain Commemoration Commission Act of 2002”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) the first European exploration of the Hud-
9 son River and Lake Champlain and the introduction
10 of steam navigation to maritime commerce were

1 events of major historical importance in the United
2 States and throughout the world;

3 (2) in 1609—

4 (A) Englishman Henry Hudson, acting on
5 behalf of the Dutch East India Company, was
6 the first European to sail up the river later
7 named for him in the vessel Half Moon; and

8 (B) French explorer Samuel de Champlain
9 was the first European to discover the lake
10 later named for him;

11 (3) those voyages—

12 (A) were 2 of the most significant passages
13 in the European exploration and discovery of
14 America;

15 (B) resulted in 2 of the earliest contacts in
16 the New World between Native Americans and
17 Europeans; and

18 (C) led to the establishment of—

19 (i) the Dutch and later English settle-
20 ment Fort Orange in the area that is now
21 Albany, New York; and

22 (ii) French Quebec settlements located
23 as far south as Lake George;

1 (4) those early settlements influenced the his-
2 tory, culture, law, commerce, and traditions of lib-
3 erty of the United States;

4 (5) in 1807, the navigation of the Hudson River
5 from the city of New York to Albany by Robert Ful-
6 ton in the steamboat Clermont—

7 (A) successfully inaugurated steam naviga-
8 tion on a commercial basis;

9 (B) is 1 of the most important events in
10 the history of navigation;

11 (C) revolutionized waterborne commerce on
12 the rivers of the United States;

13 (D) transformed naval warfare; and

14 (E) fostered international relations
15 through transoceanic travel and trade;

16 (6) the National Park Service owns and oper-
17 ates significant resources in the State of New York
18 relating to the early history of the United States and
19 the Hudson River Valley; and

20 (7) in 2002 the State of New York enacted leg-
21 islation establishing a State Hudson-Fulton-Cham-
22 plain Commission.

23 (b) PURPOSE.—The purpose of this Act is to estab-
24 lish the Hudson-Fulton-Champlain Commemoration Com-
25 mission to—

1 (1) ensure a suitable national observance, in
2 2009, of the anniversaries of the voyages of Henry
3 Hudson, Robert Fulton, and Samuel de Champlain
4 through cooperation with and assistance to the pro-
5 grams and activities of the States of New York, New
6 Jersey, and Vermont;

7 (2) assist in ensuring that Hudson-Fulton-
8 Champlain 2009 observances—

9 (A) provide an excellent visitor experience
10 and beneficial interaction between visitors and
11 the natural and cultural resources of sites in
12 the States of New York, New Jersey, and
13 Vermont; and

14 (B) are inclusive and recognize the diverse
15 Hudson River and Lake Champlain commu-
16 nities that developed over 4 centuries;

17 (3) facilitate international involvement in the
18 Hudson-Fulton-Champlain 2009 observances;

19 (4) support and facilitate marketing efforts for
20 a commemorative coin, a commemorative stamp, and
21 related activities for the Hudson-Fulton-Champlain
22 2009 observances; and

23 (5) assist in the appropriate development of
24 heritage tourism and economic benefits to the
25 United States.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

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

5 (A) the 200th anniversary of the voyage of
6 Robert Fulton in the steamboat Clermont;

7 (B) the 400th anniversary of the voyage of
8 Henry Hudson in the vessel Half Moon; and

9 (C) the 400th anniversary of the voyage of
10 Samuel de Champlain.

11 (2) **COMMISSION.**—The term “Commission”
12 means the Hudson-Fulton-Champlain Commemora-
13 tion Commission established by section 4(a).

14 (3) **GOVERNOR.**—The term “Governor” means
15 the Governor of each State.

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

18 (5) **STATE.**—

19 (A) **IN GENERAL.**—The term “State”
20 means—

21 (i) the State of New York;

22 (ii) the State of New Jersey; and

23 (iii) the State of Vermont.

24 (B) **INCLUSIONS.**—The term “State” in-
25 cludes agencies and entities of each State speci-
26 fied in subparagraph (A).

1 **SEC. 4. HUDSON-FULTON-CHAMPLAIN COMMEMORATION**
2 **COMMISSION.**

3 (a) IN GENERAL.—There is established a commission
4 to be known as the “Hudson-Fulton-Champlain Com-
5 memoration Commission”.

6 (b) MEMBERSHIP.—

7 (1) IN GENERAL.—The Commission shall be
8 composed of 31 members, of whom—

9 (A) 3 members shall be appointed by the
10 Secretary, taking into consideration the rec-
11 ommendations of the Governors;

12 (B) 14 members shall be appointed by the
13 Secretary, taking into consideration the rec-
14 ommendations of—

15 (i) the Members of the House of Rep-
16 resentatives whose districts encompass the
17 Hudson River Valley; and

18 (ii) the Members of the House of Rep-
19 resentatives whose districts encompass
20 Champlain Valley;

21 (C) 6 members shall be appointed by the
22 Secretary, taking into consideration the rec-
23 ommendations of the Members of the Senate
24 from the States;

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

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

3 (ii) 1 shall be an employee of the Na-
4 tional Park Service having experience rel-
5 evant to the commemoration, to be ap-
6 pointed by the Secretary;

7 (E) 1 member shall be an individual
8 knowledgeable about the Hudson River Valley
9 National Heritage Area, to be appointed by the
10 Secretary; and

11 (F) 5 members shall be individuals that
12 have an interest in, support for, and expertise
13 appropriate to, the commemoration, to be ap-
14 pointed by the Secretary.

15 (2) TERM; VACANCIES.—

16 (A) TERM.—A member of the Commission
17 shall be appointed for the life of the Commis-
18 sion.

19 (B) VACANCIES.—

20 (i) IN GENERAL.—A vacancy on the
21 Commission shall be filled in the same
22 manner as the original appointment was
23 made.

24 (ii) PARTIAL TERM.—A member ap-
25 pointed to fill a vacancy on the Commis-

1 sion shall serve for the remainder of the
2 term for which the predecessor of the
3 member was appointed.

4 (3) MEETINGS.—

5 (A) IN GENERAL.—The Commission shall
6 meet—

7 (i) at least twice each year; or

8 (ii) at the call of the Chairperson or
9 the majority of the members of the Com-
10 mission.

11 (B) INITIAL MEETING.—Not later than 30
12 days after the date on which all members of the
13 Commission have been appointed, the Commis-
14 sion shall hold the initial meeting of the Com-
15 mission.

16 (4) VOTING.—

17 (A) IN GENERAL.—The Commission shall
18 act only on an affirmative vote of a majority of
19 the members of the Commission.

20 (B) QUORUM.—A majority of the members
21 of the Commission shall constitute a quorum.

22 (5) CHAIRPERSON AND VICE CHAIRPERSON.—

23 (A) IN GENERAL.—The Commission shall
24 annually select the Chairperson and the Vice

1 Chairperson of the Commission from among the
2 members of the Commission.

3 (B) AUTHORITY.—The Vice Chairperson
4 shall serve as the Chairperson in the absence of
5 the Chairperson.

6 (c) DUTIES.—

7 (1) IN GENERAL.—The Commission shall—

8 (A) plan, develop, and execute programs
9 and activities appropriate for the commemora-
10 tion;

11 (B) facilitate activities relating to the com-
12 memoration throughout the United States;

13 (C) coordinate activities of the Commission
14 with—

15 (i) commemoration commissions of the
16 States;

17 (ii) appropriate Federal agencies,
18 including—

19 (I) the Department of Agri-
20 culture;

21 (II) the Department of Defense;

22 (III) the Department of State;

23 (IV) the Department of Trans-
24 portation; and

1 (V) the National Park Service;

2 and

3 (iii) the American Heritage Rivers

4 Initiative Interagency Committee estab-

5 lished by Executive Order No. 13061,

6 dated September 11, 1997;

7 (D) encourage civic, patriotic, historical,

8 educational, religious, economic, and other or-

9 ganizations throughout the United States to or-

10 ganize and participate in activities to expand

11 the understanding and appreciation of the sig-

12 nificance of the voyages of Hudson, Fulton, and

13 Champlain;

14 (E) provide technical assistance to States,

15 localities, and nonprofit organizations to carry

16 out activities relating to the commemoration;

17 (F) coordinate and facilitate for the public

18 scholarly research on, publication concerning,

19 and interpretation of, the voyages of Hudson,

20 Fulton, and Champlain; and

21 (G) ensure that the Hudson-Fulton-Cham-

22 plain 2009 anniversaries provide a lasting leg-

23 acy and long-term public benefit by assisting in

24 the development of appropriate programs and

25 facilities.

1 (2) PLANS; REPORTS.—

2 (A) STRATEGIC PLAN; ANNUAL PERFORM-
3 ANCE PLANS.—In accordance with section 306
4 of title 5, United States Code, and section 1115
5 of title 31, United States Code, the Commission
6 shall prepare a strategic plan for the activities
7 of the Commission carried out under this Act.

8 (B) FINAL REPORT.—Not later than Sep-
9 tember 30, 2010, the Commission shall submit
10 to the Secretary a final report that contains—

11 (i) a summary of the activities of the
12 Commission;

13 (ii) a final accounting of funds re-
14 ceived and expended by the Commission;

15 and

16 (iii) the findings and recommenda-
17 tions of the Commission.

18 (d) POWERS OF THE COMMISSION.—The Commission
19 may—

20 (1) accept and dispose of donations of money,
21 personal services, and real and personal property re-
22 lated to the commemoration;

23 (2) appoint such advisory committees as the
24 Commission determines to be necessary to carry out
25 this Act;

1 (3) authorize any member or employee of the
2 Commission to take any action that the Commission
3 is authorized to take by this Act;

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

10 (5) use the United States mails in the same
11 manner and under the same conditions as other
12 Federal agencies;

13 (6) subject to approval by the Commission,
14 make grants in amounts not to exceed \$20,000 to
15 communities and nonprofit organizations to develop
16 programs to assist in the commemoration; and

17 (7) make grants to research and scholarly orga-
18 nizations to research, publish, or distribute informa-
19 tion relating to the voyages of Hudson, Fulton, and
20 Champlain.

21 (e) COMMISSION PERSONNEL MATTERS.—

22 (1) COMPENSATION OF MEMBERS OF THE COM-
23 MISSION.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), a member of the Commis-
3 sion shall serve without compensation.

4 (B) FEDERAL EMPLOYEES.—A member of
5 the Commission who is an officer or employee
6 of the Federal Government shall serve without
7 compensation in addition to the compensation
8 received for the services of the member as an
9 officer or employee of the Federal Government.

10 (C) TRAVEL EXPENSES.—A member of the
11 Commission shall be allowed travel expenses, in-
12 cluding per diem in lieu of subsistence, at rates
13 authorized for an employee of an agency under
14 subchapter I of chapter 57 of title 5, United
15 States Code, while away from the home or reg-
16 ular place of business of the member in the per-
17 formance of the duties of the Commission.

18 (2) STAFF.—

19 (A) IN GENERAL.—The Chairperson of the
20 Commission may, without regard to the civil
21 service laws (including regulations), appoint
22 and terminate an executive director and such
23 other additional personnel as are necessary to
24 enable the Commission to perform the duties of
25 the Commission.

1 (B) CONFIRMATION OF EXECUTIVE DIREC-
2 TOR.—The employment of an executive director
3 shall be subject to confirmation by the Commis-
4 sion.

5 (3) COMPENSATION.—

6 (A) IN GENERAL.—Except as provided in
7 subparagraph (B), the Chairperson of the Com-
8 mission may fix the compensation of the execu-
9 tive director and other personnel without regard
10 to the provisions of chapter 51 and subchapter
11 III of chapter 53 of title 5, United States Code,
12 relating to classification of positions and Gen-
13 eral Schedule pay rates.

14 (B) MAXIMUM RATE OF PAY.—The rate of
15 pay for the executive director and other per-
16 sonnel shall not exceed the rate payable for
17 level V of the Executive Schedule under section
18 5316 of title 5, United States Code.

19 (4) DETAIL OF GOVERNMENT EMPLOYEES.—

20 (A) FEDERAL EMPLOYEES.—

21 (i) IN GENERAL.—At the request of
22 the Commission, the head of any Federal
23 agency may detail, on a reimbursable or
24 nonreimbursable basis, any of the per-
25 sonnel of the agency to the Commission to

1 assist the Commission in carrying out the
2 duties of the Commission under this Act.

3 (ii) CIVIL SERVICE STATUS.—The de-
4 tail of an employee under clause (i) shall
5 be without interruption or loss of civil serv-
6 ice status or privilege.

7 (B) STATE EMPLOYEES.—The Commission
8 may—

9 (i) accept the services of personnel de-
10 tailed from States (including subdivisions
11 of States); and

12 (ii) reimburse States for services of
13 detailed personnel.

14 (5) VOLUNTEER AND UNCOMPENSATED SERV-
15 ICES.—Notwithstanding section 1342 of title 31,
16 United States Code, the Commission may accept and
17 use voluntary and uncompensated services as the
18 Commission determines to be necessary.

19 (6) SUPPORT SERVICES.—The Director of the
20 National Park Service shall provide to the Commis-
21 sion, on a reimbursable basis, such administrative
22 support services as the Commission may request.

23 (f) PROCUREMENT OF TEMPORARY AND INTERMIT-
24 TENT SERVICES.—The Chairperson of the Commission
25 may procure temporary and intermittent services in ac-

1 cordance with section 3109(b) of title 5, United States
2 Code, at rates for individuals that do not exceed the daily
3 equivalent of the annual rate of basic pay prescribed for
4 level V of the Executive Schedule under section 5316 of
5 that title.

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

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

12 (i) TERMINATION.—The Commission shall terminate
13 on December 31, 2010.

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