

112TH CONGRESS
1ST SESSION

H. R. 1420

To establish a commission to commemorate the sesquicentennial of the
American Civil War.

IN THE HOUSE OF REPRESENTATIVES

APRIL 7, 2011

Mr. JACKSON of Illinois (for himself and Ms. MOORE) introduced the following
bill; which was referred to the Committee on Oversight and Government
Reform

A BILL

To establish a commission to commemorate the
sesquicentennial of the American Civil War.

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 “Civil War Sesqui-
5 centennial Commission Act”.

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

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

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

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

5 (3) There is a resurgence of interest in the Civil
6 War that is evidenced by the multitude of publica-
7 tions, exhibits, reenactments, research organizations,
8 Internet and multimedia resources, historic parks,
9 and preservation associations focused on the Civil
10 War.

11 (4) The years 2010 through 2015 mark the ses-
12 quicentennial of the period beginning with the elec-
13 tion of Abraham Lincoln and concluding with the
14 end of the Civil War. Notable milestones during this
15 period include the following:

16 (A) On November 6, 1860, Abraham Lin-
17 coln was elected President of the United States.

18 (B) On December 20, 1860, in a special
19 convention, the South Carolina Legislature
20 voted to secede from the Union following the
21 election of Lincoln. In the early months of the
22 following year, Mississippi, Florida, Alabama,
23 Georgia, Louisiana, and Texas seceded and
24 formed the Confederate States of America.

1 (C) In April 1861, Confederate forces fired
2 on Fort Sumter, the first shots fired in the
3 Civil War. In response, President Lincoln or-
4 dered the blockade of all Confederate ports and
5 called for 75,000 volunteers to enlist in the
6 Union Army. Four more Southern States—Vir-
7 ginia, Arkansas, Tennessee and North Caro-
8 lina—seceded in the months following the at-
9 tack on Fort Sumter.

10 (D) The Civil War spawned numerous
11 campaigns, battles, and engagements, including
12 Bull Run, the Monitor versus the Merrimac, the
13 Peninsula Campaign, Shiloh, the Capture of
14 New Orleans, the Shenandoah Valley Cam-
15 paign, Seven Pines, Seven Days, Antietam,
16 Fredericksburg, Chancellorsville, Gettysburg,
17 the Siege of Vicksburg, Chickamauga, Chat-
18 tanooga, Wilderness, the Siege at Petersburg,
19 the Capture of Atlanta, the March to the Sea,
20 Nashville, and Appomattox.

21 (E) In January 1863, President Lincoln
22 issued the Emancipation Proclamation, freeing
23 all slaves in States considered to be in rebellion
24 against the Federal Government.

1 (F) On June 28, 1864, President Lincoln
2 repealed all fugitive slave laws.

3 (G) On January 31, 1865, the United
4 States Congress passed the 13th Amendment to
5 the Constitution, abolishing slavery and invol-
6 untary servitude.

7 (H) On April 9, 1865, Confederate General
8 Robert E. Lee surrendered at Appomattox
9 Courthouse.

10 (I) On April 14, 1865, President Lincoln
11 was shot by Confederate sympathizer John
12 Wilkes Booth while attending a play at Ford's
13 Theater, and died the next day.

14 (J) In April and May 1865, Confederate
15 Generals Joseph Johnson and E. Kirby Smith,
16 leaders of the remaining organized Confederate
17 Forces, surrendered, formally ending the South-
18 ern Resistance.

19 (K) By the end of the Civil War, an esti-
20 mated 600,000 Union and Confederate soldiers
21 had been killed and over 471,000 wounded,
22 making the Civil War the bloodiest war in the
23 history of our Nation.

24 (5) The sesquicentennial of the Civil War pre-
25 sents a significant opportunity for Americans to re-

1 call and reflect upon all aspects of that conflict and
2 its legacy in a spirit of reconciliation and honest re-
3 flection, through exploration, interpretation, and dis-
4 cussion.

5 (6) The sesquicentennial of the Civil War pre-
6 sents a significant opportunity to preserve and pro-
7 mote the remaining battlefields and historic sites re-
8 lating to the Civil War before the battlefields and
9 sites are lost to future generations.

10 (b) PURPOSE.—The purpose of this Act is to estab-
11 lish a Civil War Sesquicentennial Commemoration Com-
12 mission to—

13 (1) ensure a suitable national observance of the
14 sesquicentennial of the Civil War that includes rec-
15 ognition of the historic, social, legal, cultural, and
16 political forces that caused the American Civil War
17 and influenced its course and outcomes;

18 (2) explore the causes of the Civil War to gain
19 a better understanding of the reasons that the demo-
20 cratic framework of the United States failed to re-
21 solve the sectional issues without resorting to war;

22 (3) fully examine and reflect upon the con-
23 sequences of the Civil War, subjects which Congress
24 directed the National Park Service to address in Na-
25 tional Park Service programs and materials begin-

1 ning in 1999, including the Reconstruction era and
2 the aftermath, the subsequent constriction of equal
3 rights for African-American citizens, and the ulti-
4 mate achievement of civil rights for the descendants
5 of enslaved peoples almost a century later;

6 (4) collaborate with and assist States and na-
7 tional organizations with programs and activities for
8 the observance of the sesquicentennial of the Civil
9 War;

10 (5) assist in ensuring that any observance of
11 the sesquicentennial of the Civil War is inclusive and
12 appropriately recognizes the experiences and points
13 of view of all people affected by the Civil War; and

14 (6) provide assistance for the development of
15 programs, projects, and activities on the Civil War
16 that have lasting educational value.

17 **SEC. 3. CIVIL WAR SESQUICENTENNIAL COMMEMORATION**
18 **COMMISSION.**

19 The Secretary of the Interior shall establish a com-
20 mission to be known as the Civil War Sesquicentennial
21 Commemoration Commission (hereafter in this Act re-
22 ferred to as the “Commission”).

23 **SEC. 4. COMPOSITION OF THE COMMISSION.**

24 (a) **IN GENERAL.**—The Commission shall be com-
25 posed of 25 members as follows:

1 (1) GOVERNMENT MEMBERS.—The Commission
2 shall include—

3 (A) 2 Members of the Senate appointed by
4 the President pro tempore of the Senate, in
5 consultation with the majority leader and the
6 minority leader of the Senate;

7 (B) 2 Members of the House of Represent-
8 atives appointed by the Speaker of the House of
9 Representatives, in consultation with the minor-
10 ity leader of the House;

11 (C) the Secretary of the Interior or the
12 designee of the Secretary;

13 (D) the Secretary of the Smithsonian In-
14 stitution, or the designee of the Secretary;

15 (E) the Secretary of Education, or the des-
16 ignedee of the Secretary;

17 (F) the Secretary of Defense, or the des-
18 ignedee of the Secretary;

19 (G) the Chairman of the National Endow-
20 ment for the Humanities, or the designee of the
21 Chairman;

22 (H) the Chairman of the National Endow-
23 ment of the Arts, or the designee of the Chair-
24 man;

1 (I) the Archivist of the United States, or
2 the designee of the Archivist;

3 (J) the Librarian of Congress, or the des-
4 ignee of the Librarian; and

5 (K) the Director of the National Park
6 Service, or the designee of the Director.

7 (2) PRIVATE MEMBERS.—The Commission shall
8 include—

9 (A) 5 members appointed by the President
10 from among individuals who are representative
11 of the corporate and nonprofit communities;
12 and

13 (B) 7 individuals appointed by the Presi-
14 dent from among persons who by reason of edu-
15 cation, training, and experience, are experts on
16 the Antebellum, Civil War, and Reconstruction
17 eras and the preservation, interpretation, and
18 presentation of those eras to the public, includ-
19 ing—

20 (i) 5 individuals with expertise in his-
21 tory or related academic disciplines ger-
22 mane to the Civil War, including—

23 (I) individuals representing the
24 museum community, in particular his-
25 tory museums and historical societies,

1 such as the National Civil War Mu-
2 seum;

3 (II) individuals with expertise in
4 art history, historic preservation, or a
5 related field;

6 (III) individuals with expertise in
7 anthropology, cultural geography, so-
8 ciology, or a related field; and

9 (IV) individuals with expertise in
10 political science, law, economics, or a
11 related field;

12 (ii) 1 individual with expertise in the
13 preservation of Civil War historic sites and
14 battlefields; and

15 (iii) 1 individual representing State
16 Civil War sesquicentennial efforts.

17 (b) TERMS.—

18 (1) GOVERNMENT MEMBERS.—If any member
19 of the Commission who was appointed as an officer
20 designated under subsection (a)(1) leaves such of-
21 fice, the member may continue as a member of the
22 Commission for not longer than the 30-day period
23 beginning on the date the member leaves such office.

1 (2) PRIVATE MEMBERS.—Private members
2 under subsection (a)(2) shall be appointed for the
3 life of the Commission.

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

7 (d) INITIAL APPOINTMENTS.—The appointment of
8 the members of the Commission shall be made not later
9 than 90 days after the date of the enactment of this Act.

10 **SEC. 5. GENERAL PROVISIONS.**

11 (a) MEETINGS.—

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

17 (2) SUBSEQUENT MEETINGS.—The Commission
18 shall hold subsequent meetings at the call of the
19 Chairperson.

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

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

1 (d) VOTING.—

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

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

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

10 (a) ACTIVITIES RELATED TO THE SESQUICENTEN-
11 NIAL.—The Commission shall—

12 (1) plan, develop, and carry out programs and
13 activities appropriate to commemorate the sesqui-
14 centennial of the Civil War, including activities in
15 recognition of the historic, social, legal, cultural, and
16 political forces that—

17 (A) caused the Civil War; and

18 (B) influenced the course and outcomes of
19 the Civil War;

20 (2) encourage interdisciplinary examination of
21 the Civil War;

22 (3) facilitate Civil War-related activities
23 throughout the United States;

24 (4) encourage civic, historical, educational, eco-
25 nomic, preservation, and other organizations

1 throughout the United States to organize and par-
2 ticipate in activities to expand the understanding
3 and appreciation of the significance of the Civil War;

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

7 (6) coordinate with and provide technical assist-
8 ance to States, units of local government, and non-
9 profit organizations (including State and local ses-
10 quicentennial commemoration entities) to further the
11 commemoration of the sesquicentennial of the Civil
12 War;

13 (7) coordinate and facilitate commemoration ac-
14 tivities of Federal agencies relating to the sesqui-
15 centennial of the Civil War;

16 (8) develop programs and facilities to ensure
17 that the sesquicentennial commemoration of the
18 Civil War results in a positive legacy and long-term
19 public benefit;

20 (9) encourage and facilitate the preservation of
21 Civil War historic sites and battlefields as a lasting
22 legacy of the sesquicentennial commemoration;

23 (10) plan, develop, and carry out programs and
24 activities to use funds raised from individuals, foun-

1 dations, and corporations for sesquicentennial activi-
2 ties at the national level;

3 (11) at its discretion, provide funds to State
4 and local programs to carry out activities that ad-
5 vance the goals of the Commission; and

6 (12) encourage the development and conduct of
7 programs designed to involve the international com-
8 munity in activities that commemorate the Civil
9 War.

10 (b) PLANS AND REPORT.—

11 (1) STRATEGIC PLAN AND ANNUAL PERFORM-
12 ANCE PLANS.—The Commission shall prepare a
13 strategic plan in accordance with section 306 of title
14 5, United States Code, and annual performance
15 plans in accordance with section 1115 of title 31,
16 United States Code, for the activities of the Com-
17 mission carried out under this Act.

18 (2) REPORTS.—

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

1 (B) FINAL REPORT.—Not later than Sep-
2 tember 30, 2016, the Commission shall submit
3 to Congress a final report that contains—

4 (i) a summary of activities of the
5 Commission;

6 (ii) a final accounting of funds re-
7 ceived and expended by the Commission;
8 and

9 (iii) the findings and recommenda-
10 tions of the Commission.

11 **SEC. 7. GRANT PROGRAM.**

12 (a) GRANTS AUTHORIZED.—The Chairman of the
13 National Endowment for the Humanities shall award
14 grants under this section for the uses described in sub-
15 section (b).

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

19 (c) CONSIDERATION.—In awarding grants under this
20 section, the Chairman of the National Endowment of the
21 Humanities shall consider and give priority to programs
22 carried out by institutions of higher education, museums,
23 nonprofit organizations, professional associations, and
24 State sesquicentennial commissions with a national scope,
25 that support the duties of the Commission described in

1 section 6, including programs that concentrate on the role
2 of African-Americans in the Civil War.

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

4 The Commission may, for the purpose of carrying out
5 this Act—

6 (1) solicit, accept, use and dispose of gifts, be-
7 quests, or devises of money or property, both real
8 and personal, for the purpose of aiding or facili-
9 tating the work of the Commission;

10 (2) authorize any voting member or employee of
11 the Commission to take any action that the Commis-
12 sion is authorized to take under this Act;

13 (3) procure supplies, services, and property, and
14 make or enter into contracts, leases, or other legal
15 agreements to carry out this Act (except that any
16 contracts, leases, or other legal agreements entered
17 into by the Commission shall not extend beyond the
18 date of the termination of the Commission); and

19 (4) use the United States mails in the same
20 manner and under the same conditions as other
21 Federal agencies.

22 **SEC. 9. PERSONNEL MATTERS.**

23 (a) COMPENSATION OF MEMBERS.—Members of the
24 Commission shall serve without compensation.

1 (b) TRAVEL EXPENSES.—Members of the Commis-
2 sion shall be allowed, as the Secretary of the Interior de-
3 termines appropriate to carry out this Act, travel ex-
4 penses, including per diem in lieu of subsistence, at rates
5 authorized for an employee of an agency under subchapter
6 I of chapter 57 of title 5, United States Code, while away
7 from the home or regular place of business of the member
8 in the performance of the duties of the Commission.

9 (c) STAFF.—

10 (1) IN GENERAL.—The Chairperson may ap-
11 point a Director and such additional staff as are
12 necessary to enable the Commission to perform its
13 duties.

14 (2) CONFIRMATION OF DIRECTOR.—The ap-
15 pointment of the Director shall be subject to the ap-
16 proval of the Commission.

17 (3) COMPENSATION.—

18 (A) NONAPPLICABILITY OF CIVIL SERVICE
19 LAWS.—Except as provided in subparagraph
20 (B), the Director and staff may be appointed
21 without regard to the provisions of title 5,
22 United States Code, governing appointments in
23 the competitive service, and may be paid with-
24 out regard to the provisions of chapter 51 and
25 subchapter III of chapter 53 of that title relat-

1 ing to classification and General Schedule pay
2 rates.

3 (B) MAXIMUM RATE OF PAY.—The rate of
4 pay for the Director and other staff shall not
5 exceed the rate payable for level V of the Exec-
6 utive Schedule under section 5316 of title 5,
7 United States Code.

8 (d) DETAIL OF GOVERNMENT EMPLOYEES.—At the
9 request of the Commission, the head of any Federal agen-
10 cy may detail, on a reimbursable or nonreimbursable basis,
11 any of the personnel of the agency to the Commission to
12 assist the Commission in carrying out the duties of the
13 Commission under this Act.

14 (e) SUPPORT SERVICES.—Upon the request of the
15 Commission, the Secretary of the Interior, acting through
16 the Director of the National Park Service, shall provide
17 to the Commission, on a reimbursable basis, the adminis-
18 trative support services necessary for the Commission to
19 carry out its responsibilities under this Act.

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

1 (g) PROCUREMENT OF TEMPORARY AND INTERMIT-
2 TENT SERVICES.—The Chairperson of the Commission
3 may procure temporary and intermittent services under
4 section 3109(b) of title 5, United States Code, at daily
5 rates for individuals which do not exceed the daily equiva-
6 lent of the annual rate of basic pay prescribed for level
7 V of the Executive Schedule under section 5316 of such
8 title.

9 (h) NONAPPLICABILITY OF CHARTER REQUIRE-
10 MENT.—Section 14(b) of the Federal Advisory Committee
11 Act (5 U.S.C. App.) shall not apply to the Commission.

12 (i) TERMINATION.—The Commission shall terminate
13 on the date that is 90 days after the date on which the
14 Commission submits its final report under section 6(b)(2).

15 **SEC. 10. 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 \$500,000 for each of fiscal years 2012 through 2016.

19 (b) GRANTS.—There is authorized to be appropriated
20 \$3,500,000 to the National Endowment for the Human-
21 ities to provide grants under section 7, to remain available
22 until expended.

○