

112TH CONGRESS  
1ST SESSION

# S. 599

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

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IN THE SENATE OF THE UNITED STATES

MARCH 16, 2011

Mr. WEBB (for himself and Ms. LANDRIEU) introduced the following bill;  
which was read twice and referred to the Committee on Energy and Nat-  
ural Resources

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## 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. PURPOSE.**

7 The purpose of this Act is to establish a Civil War  
8 Sesquicentennial Commemoration Commission to—

9 (1) ensure a suitable national observance of the  
10 sesquicentennial of the Civil War that includes rec-

1       ognition of the historic, social, legal, cultural, and  
2       political forces that—

3               (A) brought about the Civil War; and

4               (B) influenced the course and outcomes of  
5       the Civil War;

6       (2) explore the causes of the Civil War to gain  
7       a better understanding of the reasons that the demo-  
8       cratic framework of the United States failed to re-  
9       solve the sectional issues without resorting to war;

10       (3) fully examine and reflect on the con-  
11       sequences of the Civil War, which Congress directed  
12       the National Park Service to address in National  
13       Park Service programs and materials beginning in  
14       1999, including consequences such as—

15               (A) the Reconstruction era and the after-  
16       math of that era;

17               (B) the economic devastation of the entire  
18       South as a result of long-term post-war policies;

19               (C) the concomitant constriction of equal  
20       rights for African-American citizens; and

21               (D) the ultimate economic recovery of the  
22       region and the extension of civil rights for the  
23       descendants of enslaved peoples almost a cen-  
24       tury later;

1           (4) assist States and national organizations  
2 with programs and activities for the observance of  
3 the sesquicentennial of the Civil War;

4           (5) assist in ensuring that any observance of  
5 the sesquicentennial of the Civil War is inclusive and  
6 appropriately recognizes the experiences and points  
7 of view of all people affected by the Civil War; and

8           (6) provide assistance for the development of  
9 programs, projects, and activities on the Civil War  
10 that have lasting educational and preservation value.

11 **SEC. 3. CIVIL WAR SESQUICENTENNIAL COMMEMORATION**

12 **COMMISSION.**

13           The Secretary of the Interior shall establish a com-  
14 mission to be known as the Civil War Sesquicentennial  
15 Commemoration Commission (referred to in this Act as  
16 the “Commission”).

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

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

20           (1) GOVERNMENT MEMBERS.—The Commission  
21 shall include—

22           (A) 2 Members of the Senate appointed by  
23 the President pro tempore of the Senate, in  
24 consultation with the majority leader and the  
25 minority leader of the Senate;

1 (B) 2 Members of the House of Represent-  
2 atives appointed by the Speaker of the House of  
3 Representatives, in consultation with the minor-  
4 ity leader of the House of Representatives;

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 Education, or the des-  
10 igned of the Secretary;

11 (F) the Secretary of Defense, or the des-  
12 igned of the Secretary;

13 (G) the Chairman of the National Endow-  
14 ment for the Humanities, or the designee of the  
15 Chairman;

16 (H) the Chairman of the National Endow-  
17 ment for the Arts, or the designee of the Chair-  
18 man;

19 (I) the Archivist of the United States, or  
20 the designee of the Archivist;

21 (J) the Librarian of Congress, or the des-  
22 igned of the Librarian; and

23 (K) the Director of the National Park  
24 Service, or the designee of the Director.

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

3           (A) 3 members appointed by the President  
4 from among individuals who are representative  
5 of the corporate community and nonprofit com-  
6 munity; and

7           (B) 9 individuals, appointed by the Presi-  
8 dent, from among persons who by reason of  
9 education, training, and experience, are experts  
10 on the Antebellum, Civil War, and Reconstruc-  
11 tion eras and the preservation, interpretation,  
12 and presentation of those eras to the public, in-  
13 cluding—

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

17           (I) individuals representing the  
18 museum community, in particular his-  
19 tory museums and historical societies,  
20 such as the National Civil War Mu-  
21 seum;

22           (II) individuals with expertise in  
23 art history, historic preservation, or a  
24 related field;

1 (III) individuals with expertise in  
2 anthropology, cultural geography, so-  
3 ciology, or a related field; and

4 (IV) individuals with expertise in  
5 political science, law, economics, or a  
6 related field;

7 (ii) 1 individual with expertise in the  
8 preservation of Civil War historic sites and  
9 battlefields; and

10 (iii) 3 individuals representing State  
11 Civil War sesquicentennial efforts.

12 (b) TERMS.—

13 (1) GOVERNMENT MEMBERS.—If any member  
14 of the Commission who was appointed as an officer  
15 under subsection (a)(1) leaves that office, the mem-  
16 ber may continue as a member of the Commission  
17 for not longer than the 30-day period beginning on  
18 the date on which the member leaves the office.

19 (2) PRIVATE MEMBERS.—Private members ap-  
20 pointed under subsection (a)(2) shall be appointed  
21 for the life of the Commission.

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

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

4 **SEC. 5. GENERAL PROVISIONS.**

5 (a) MEETINGS.—

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

11 (2) SUBSEQUENT MEETINGS.—The Commission  
12 shall hold subsequent meetings at the call of the  
13 chairperson.

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

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

20 (d) VOTING.—

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

24 (2) NONVOTING MEMBERS.—The individuals  
25 appointed under subparagraphs (A) and (B) of sec-

1       tion 4(a)(1) shall be nonvoting members, and shall  
2       serve only in an advisory capacity.

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

4       (a) ACTIVITIES RELATED TO THE SESQUICENTEN-  
5       NIAL.—The Commission shall—

6               (1) plan, develop, and carry out programs and  
7       activities appropriate to commemorate the sesqui-  
8       centennial of the Civil War, including activities in  
9       recognition of the historic, social, legal, cultural, and  
10      political forces that—

11                   (A) caused the Civil War; and

12                   (B) influenced the course and outcomes of  
13      the Civil War;

14               (2) encourage interdisciplinary examination of  
15      the Civil War;

16               (3) facilitate and promote Civil War-related ac-  
17      tivities throughout the United States;

18               (4) encourage civic, historical, educational, eco-  
19      nomic, preservation, and other organizations  
20      throughout the United States to organize and par-  
21      ticipate in activities to expand the understanding  
22      and appreciation of the significance of the Civil War;

23               (5) coordinate and facilitate the public distribu-  
24      tion of scholarly research, publications, and interpre-  
25      tations of the Civil War through institutions such as



1 the Virginia Center for Digital History at the Uni-  
2 versity of Virginia, the Valley of the Shadow, Center  
3 for Study of the American South at the University  
4 of North Carolina, and the Center for the Study of  
5 Southern Culture at the University of Mississippi;

6 (6) coordinate with, and provide technical as-  
7 sistance to, States, units of local government, and  
8 nonprofit organizations (including State and local  
9 sesquicentennial commemoration entities) to further  
10 the commemoration of the sesquicentennial of the  
11 Civil War;

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

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

19 (9) encourage and facilitate the preservation of  
20 Civil War-related historic sites and battlefields as a  
21 lasting legacy of the sesquicentennial commemora-  
22 tion;

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 the election of the Commission, provide  
4       funds to State and local programs to carry out ac-  
5       tivities that advance the goals of the Commission;  
6       and

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

11      (b) PLANS AND REPORT.—

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

19           (2) REPORTS.—

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

1 (B) FINAL REPORT.—Not later than De-  
2 cember 30, 2015, 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 National Endow-  
13 ment for the Humanities shall award grants under this  
14 section for the uses described in subsection (b).

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

18 (c) CONSIDERATION.—In awarding grants under this  
19 section, the National Endowment of the Humanities shall  
20 consider and give priority to programs carried out by insti-  
21 tutions of higher education, museums, nonprofit organiza-  
22 tions, professional associations, or State sesquicentennial  
23 commissions with a national scope that support the duties  
24 of the Commission described in section 6, including pro-

1 grams that concentrate on the role of African Americans  
2 in the Civil War.

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

4 The Commission may—

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

9 (2) appoint any advisory committee as the  
10 Commission considers appropriate for the purposes  
11 of this Act;

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

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

21 (5) use the United States mails in the same  
22 manner and under the same conditions as other  
23 Federal agencies; and

24 (6) establish a foundation that is independent  
25 from, but affiliated with, the Commission to support,

1 as the Commission determines to be necessary, the  
2 efforts of the Commission.

3 **SEC. 9. PERSONNEL MATTERS.**

4 (a) **COMPENSATION OF MEMBERS.**—Members of the  
5 Commission, and members of any advisory committee ap-  
6 pointed under section 8(2), shall serve without compensa-  
7 tion.

8 (b) **TRAVEL EXPENSES.**—Members of the Commis-  
9 sion, and members of any advisory committees appointed  
10 under section 8(2), shall be allowed travel expenses, in-  
11 cluding per diem in lieu of subsistence, at rates authorized  
12 for an employee of an agency under subchapter I of chap-  
13 ter 57 of title 5, United States Code, while away from  
14 the home or regular place of business of the member in  
15 the performance of the duties of the Commission.

16 (c) **STAFF.**—

17 (1) **IN GENERAL.**—The Chairperson of the  
18 Commission may, without regard to civil service laws  
19 (including regulations), appoint and terminate an ex-  
20 ecutive director and such other additional personnel  
21 as are necessary to enable the Commission to per-  
22 form the duties of the Commission.

23 (2) **CONFIRMATION OF EXECUTIVE DIREC-**  
24 **TOR.**—The employment of an executive director shall  
25 be subject to confirmation by the Commission.

## 1 (3) COMPENSATION.—

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

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

## 15 (d) DETAIL OF GOVERNMENT EMPLOYEES.—

16 (1) IN GENERAL.—At the request of the Com-  
17 mission, the head of any Federal agency may detail,  
18 on a reimbursable or nonreimbursable basis, any of  
19 the personnel of the agency to the Commission to as-  
20 sist the Commission in carrying out the duties of the  
21 Commission under this Act.

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

1 (e) VOLUNTEER AND UNCOMPENSATED SERVICES.—  
2 Notwithstanding section 1342 of title 31, United States  
3 Code, the Commission may accept and use voluntary and  
4 uncompensated services as the Commission determines  
5 necessary.

6 (f) SUPPORT SERVICES.—The Director of the Na-  
7 tional Park Service shall provide to the Commission, on  
8 a reimbursable basis, such administrative support services  
9 as the Commission may request.

10 (g) PROCUREMENT OF TEMPORARY AND INTERMIT-  
11 TENT SERVICES.—The Chairperson of the Commission  
12 may procure temporary and intermittent services under  
13 section 3109(b) of title 5, United States Code, at daily  
14 rates for individuals which do not exceed the daily equiva-  
15 lent of the annual rate of basic pay prescribed for level  
16 V of the Executive Schedule under section 5316 of that  
17 title.

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

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

1 **SEC. 10. AUDIT OF COMMISSION.**

2       The Inspector General of the Department of the Inte-  
3 rior shall perform an annual audit of the Commission and  
4 shall make the results of the audit available to the public.

5 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

6       (a) IN GENERAL.—There is authorized to be appro-  
7 priated to carry out this Act (other than section 7)  
8 \$500,000 for each of fiscal years 2012 through 2016.

9       (b) GRANTS.—There is authorized to be appropriated  
10 \$3,500,000 to the National Endowment for the Human-  
11 ities to provide grants under section 7, to remain available  
12 until expended.

○