

## Calendar No. 903

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2d Session }

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### JAMESTOWN 400TH COMMEMORATION COMMISSION ACT OF 2000

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OCTOBER 2 (legislative day, SEPTEMBER 22), 2000.—Ordered to be printed

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Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

### REPORT

[To accompany S. 2885]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2885) to establish the Jamestown 400th Commemoration Commission, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. On page 3, line 11, strike “State” and insert “Commonwealth”.
2. On page 4, line 19, strike “the State.” and insert “Virginia.”.
3. Strike page 4, line 22, through page 5, line 2, and insert in lieu thereof the following:

“(5) State.—The term “State” means the Commonwealth of Virginia, including agencies and entities of the Commonwealth.”.

4. On page 5, line 10, strike “16 members,” and insert “15 members”.

#### PURPOSE OF THE MEASURE

The purpose of S. 2885 is to establish the Jamestown 400th Commemoration Commission to assist State and local efforts in the commemoration of the 400th anniversary of the landing at Jamestown, Virginia.

#### BACKGROUND AND NEED

On May 13, 1607, 104 English settlers landed at Jamestown, founding the first permanent English settlement in America. The settlement brought together people from many different cultures

and nations—English, Native Americans, Africans, and other Europeans, and the economic, political, religious, and social institutions that developed during the first nine decades of the existence of Jamestown continue to have profound effects on the United States.

The celebration in 2007 of the 400th anniversary of the landing at Jamestown will involve coordination between many partners on the Federal, State, and local level, and with the private sector. In 1996, the Commonwealth of Virginia designated the Jamestown-Yorktown Foundation as the State agency responsible for planning and implementing the Commonwealth's portion of the commemoration.

S. 2885 establishes a Federal commission to assist in the coordination of the 400th anniversary commemoration of the landing at Jamestown. The purpose of the commission is to bring national and international attention to the significance of the landing at Jamestown. The commission would coordinate events, activities, fundraising, and capital improvements related to the Jamestown 2007 anniversary. The role of the commission would include garnering assistance from other Federal agencies for anniversary events; establishing and overseeing a non-profit organization to raise funds for necessary capital improvements; and coordinating activities with the State's commission. Members of the commission would be appointed by the Secretary of the Interior.

#### LEGISLATIVE HISTORY

S. 2885 was introduced by Senators Warner and Robb on July 18, 2000. The Subcommittee on National Parks, Historic Preservation and Recreation held a hearing on S. 2885 on September 14, 2000. At the business meeting on September 20, 2000, the Committee on Energy and Natural Resources ordered S. 2885, as amended, favorably reported.

#### COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on September 20, 2000, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 2885, if amended as described herein.

#### COMMITTEE AMENDMENTS

During the consideration of S. 2885, the Committee adopted technical and clarifying amendments to the bill.

#### SECTION-BY-SECTION ANALYSIS

Section 1 designates the short title of the bill.

Section 2(a) contains congressional findings.

Subsection (b) describes the purposes of the legislation, which are to establish the Jamestown 400th Commemoration Commission to: (1) ensure a suitable national observance of the Jamestown 2007 anniversary by complementing the programs and activities of the Commonwealth of Virginia; (2) cooperate with and assist the programs and activities of the Commonwealth of Virginia in observance of the Jamestown 2007 anniversary; (3) assist in ensuring that Jamestown 2007 observances provide an excellent visitor experience and beneficial interaction between visitors and the natural

and cultural resources of the Jamestown sites; (4) assist in ensuring that the Jamestown 2007 observances are inclusive and appropriately recognize the experiences of all people present in 17th century Jamestown; (5) provide assistance to the development of Jamestown-related programs and activities; (6) facilitate international involvement in the Jamestown 2007 observances; (7) support and facilitate marketing efforts for a commemorative coin, stamp, and related activities for the Jamestown observances; and (8) assist in the appropriate development of heritage tourism and economic benefits to the United States.

Section 3 provides definitions for key terms used in the legislation.

Section 4(a) establishes the Jamestown 400th Commemoration Commission (Commission).

Subsection (b) describes the membership of the Commission, the length of appointments and procedures for filling vacancies, meeting requirements, and voting procedures. Members of the Commission are appointed by the Secretary of the Interior (Secretary) for terms whose length are the life of the Commission. The Commission is required to meet at least twice each year, the first meeting to occur within 30 days after the date on which all members have been appointed.

Subsection (c) describes the duties of the Commission, which are: (1) to plan, develop, and execute programs and activities appropriate to commemorate the 400th anniversary of the founding of Jamestown; (2) facilitate Jamestown-related activities throughout the United States; (3) encourage civic, patriotic, historical, educational, religious, economic, and other organizations throughout the United States to organize and participate in anniversary activities; (4) coordinate and facilitate scholarly research on, publication about, and interpretation of, Jamestown; and (5) ensure that the 400th anniversary of Jamestown provides a lasting legacy and long-term public benefit by assisting in the development of appropriate programs and facilities. The Commission must prepare a strategic plan and annual performance plans in accordance with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285). A final report on the Commission's activities must be completed by September 30, 2008.

Subsection (d) sets forth the powers of the Commission. The Commission may: (1) accept donations and make disbursements of money, personal services, and real and personal property related to Jamestown; (2) appoint advisory committees; (3) authorize members of the Commission to take any action that the Commission is authorized to take; (4) procure supplies, services, and property, and enter into contracts, leases, or other legal agreements; (5) use the U.S. mail in the same way as other Federal agencies; (6) make grants of up to \$10,000 to communities and nonprofit organizations; (7) make grants to research and scholarly organizations to research, publish, or distribute information relating to the early history of Jamestown; and (8) provide technical assistance to States, localities, and nonprofit organizations.

Subsection (e) describes compensation and other personnel matters pertaining to the Commission. Members of the Commission will serve without compensation, except that they will be allowed travel expenses while away from home or regular place of business.

The Commission may appoint an executive director, to be compensated at no more than the rate of pay for level V of the Executive Schedule. Federal employees may be detailed on a reimbursable basis to serve on the staff of the Commission. The Commission may also reimburse State employees for their services, and may accept voluntary and uncompensated services. The National Park Service will provide administrative support services on a reimbursable basis.

Subsection (f) authorizes the Commission to procure temporary and intermittent services at rates that do not exceed the rate of pay for level V of the Executive Schedule.

Subsection (g) exempts the Commission from section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App).

Subsection (h) states that nothing in this section supersedes the authority of the State, the National Park Service, or the Association for the Preservation of Virginia Antiquities.

Subsection (i) terminates the Commission on December 31, 2008.

Section 5 authorizes the appropriation of such sums as are necessary to carry out the legislation.

#### COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 26, 2000.*

Hon. FRANK H. MURKOWSKI,  
*Chairman, Committee on Energy and Natural Resources,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2885, the Jamestown 400th Commemoration Commission Act of 2000.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.

*S. 2885—Jamestown 400th Commemoration Commission Act of 2000*

S. 2885 would establish the Jamestown 400th Commemoration Commission. The 15-member commission would plan and execute programs to commemorate the 400th anniversary of the founding of Jamestown, Virginia. For this purpose, the commission would be authorized to accept and spend private donations. Members of the commission would not be paid for this service, and any federal employees who are appointed would not receive additional federal salaries. All members of the commission would be reimbursed for expenses. The commission would be allowed to hire staff or use personnel from other federal agencies. For these purposes, the bill would authorize the appropriation of whatever amounts are necessary.

Assuming appropriation of the necessary amounts and based on information provided by the National Park Service, CBO estimates that the commission would spend about \$300,000 annually over the 2001–2008 period. After December 31, 2008, the commission would terminate. The \$300,000 would be used to develop strategic plans, make grants to communities and nonprofit organizations, and carry out other activities related to the commemoration.

Because S. 2885 would allow the commission to accept and spend contributed funds, pay-as-you-go procedures would apply to the bill. CBO estimates, however, that any revenues from contributions and subsequent direct spending would be less than \$500,000 annually and would offset each other over the six years of the commission's activities. S. 2885 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2885. The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2885, as ordered reported.

#### EXECUTIVE COMMUNICATIONS

On September 15, 2000, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 2885. These reports had not been received at the time the report on S. 2885 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF DONALD J. HELLMANN, DEPUTY ASSISTANT  
DIRECTOR, LEGISLATIVE AND CONGRESSIONAL AFFAIRS,  
NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to appear before you today to present the view of the Department of the Interior on S. 2885, a bill that would establish the Jamestown 400th Commemoration Commission. The National Park Service supports enactment of this commission to commemorate the 1607 founding of Jamestown, Virginia, and believes that establishment of this commission would help ensure that we leave a lasting inheritance worthy of Jamestown's significant place in history.

Jamestown, the first permanent English settlement in North America, lives today in the language we speak, our common law, and our representative government. The first representative assembly held in these English colonies occurred at Jamestown in July 1619. We can trace our legislative history directly from that first assembly to here in the United States Congress today—truly a living legacy. Jamestown was Virginia's capital for 92 years, its port, and its social and commercial center. Here the society we know today began to take shape.

Since at least 1807, Jamestown's founding has been commemorated every 50 years. In 1957, Queen Elizabeth II visited Jamestown as part of major festivities celebrating the 350th anniversary. The Commonwealth of Virginia's preparations for that anniversary included building reconstructions of the three ships that brought the 1607 colonists, the Jamestown Fort, and an Indian village. The National Park Service constructed the Jamestown Visitor Center, completed the Colonial Parkway to Jamestown, conducted archaeological research, and provided visitors with paintings depicting early settlers' activities. The federal commission complemented the Commonwealth of Virginia's state commission.

Planning for commemorative activities in 2007 has been underway for several years. The state's Jamestown 2007 has held roundtables throughout Virginia to get citizen input to design a statewide commemoration. The reconstructed ships, fort, and Indian village are being rebuilt to reflect current research. Special events and outreach to schools across the nation are also being planned.

Under the Association for the Preservation of Virginia's Antiquities' project "Jamestown Rediscovery," the original 1607 fort, long thought to be lost to the Jamestown River, has been found. The National Park Service has undertaken massive historical, archeological, and scientific research under its Jamestown Archeological Assessment. Together, the Association for the Preservation of Virginia Antiquities and the National Park Service have preserved nearly a million artifacts in their collections. They are now jointly planning a revitalized Jamestown Island to improve visitor experiences and understanding, and to increase protection for irreplaceable museum collections. Finally, an Internet web site has been set up to provide information to a wide range of audiences both within and outside the United States at: <http://www.Jamestown2007.org/>

S. 2885 would establish the Jamestown 400th Commemoration Commission, a federal commission to ensure a suitable national observance of Jamestown's 400th anniversary in 2007. The Commission would complement and coordinate the programs of the Commonwealth of Virginia, provide excellent visitor experiences, hold appropriate observances, and assist in Jamestown-related programs and activities while also facilitating international involvement. Jamestown 400th should be a truly national event so that all Americans understand the challenges our predecessors

faced. Because its story has meaning outside the United States, it should be an international event as well. The commission would also support efforts for a commemorative coin, stamp, and similar efforts, and assist in the development of heritage tourism. Having a federal commission that could help coordinate all the different aspects of the commemoration would help ensure their success.

S. 2885 establishes a 16-member commission to plan, develop, and hold programs and commemorative activities for the 400th anniversary of Jamestown's founding, facilitate Jamestown-related activities throughout the United States, and encourage other groups such as civic, educational, patriotic, and historic organizations to participate in the 400th anniversary activities. The commission would coordinate and facilitate scholarly research on and publication about Jamestown, it would assist in developing appropriate programs and facilities, and it would provide for hiring staff, using state staff, and accepting volunteers. S. 2885 provides for the commission to terminate on December 31, 2008. We estimate that the commission could make a considerable contribution towards our common understanding of this shared legacy. We also believe it would facilitate fundraising by encouraging public-private partnerships. Finally, we believe the commission would help make the experiences of Jamestown's first 92 years relevant today, to Americans who immigrated here as well as those who descended from those early inhabitants.

Establishing the Jamestown 400th Commemoration Commission would ensure that this 400th commemoration will have lasting value for all Americans by engaging the largest segment possible of this nation in this commemoration of our common heritage.

This concludes my prepared testimony, Mr. Chairman. I would be pleased to answer any questions you or the committee might have.

#### CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the bill S. 2885, as ordered reported.

