Public Law 106–550
106th Congress

An Act

To establish a commission to commemorate the 250th anniversary of the birth of James Madison.

Dec. 19, 2000
[S. 3137]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

James Madison Commemoration Commission Act.
36 USC note prec. 101.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "James Madison Commemoration Commission Act".

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

Sec. 1. Short title; table of contents.
Sec. 2. Congressional findings.
Sec. 3. Establishment.
Sec. 4. Duties.
Sec. 5. Membership.
Sec. 6. Powers.
Sec. 7. Staffing and support.
Sec. 8. Contributions.
Sec. 9. Reports.
Sec. 10. Audit of financial transactions.
Sec. 11. Termination.
Sec. 12. Authorization of appropriations.

SEC. 2. CONGRESSIONAL FINDINGS.

36 USC note prec. 101.

Congress finds that—

(1) March 16, 2001, marks the 250th anniversary of the birth of James Madison;

(2) as a delegate to the Continental Congress, and to the Annapolis Convention of 1786, James Madison foresaw the need for a more effective national government and was a persuasive advocate for such a government at the Philadelphia Constitutional Convention of 1787;

(3) James Madison worked tirelessly and successfully at the Constitutional Convention to mold a national charter, the United States Constitution, that combined both energy and restraint, empowering the legislature, the executive, and the judiciary, within a framework of limited government, separated powers, and a system of federalism;

(4) James Madison was an eloquent proponent of the first 10 amendments to the Constitution, the Bill of Rights;

(5) James Madison faithfully served his country as a Representative in Congress from 1789 to 1797, as Secretary of State from 1801 to 1809, and as President of the United States from 1809 to 1817;

(6) as President, James Madison showed courage and resolute will in leading the United States to victory over Great Britain in the War of 1812;

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(7) James Madison's political writings, as exemplified by his Notes on the Federal Convention and his contributions to The Federalist Papers, are among the most distinguished of American state papers;

(8) by his learning, his devotion to ordered liberty, and by the force of his intellect, James Madison made an indispensable contribution to the American tradition of democratic constitutional republicanism embodied in the Constitution of the United States, and is justifiably acclaimed as father of the Constitution;

(9) it is appropriate to remember, honor, and renew the legacy of James Madison for the American people and, indeed for all mankind; and

(10) as the Nation approaches March 16, 2001, marking the anniversary of the birth of James Madison, it is appropriate to establish a commission for the commemoration of that anniversary.

36 USC note prec. 101.

SEC. 3. ESTABLISHMENT.

A commission to be known as the James Madison Commemoration Commission (in this Act referred to as the "Commission") and a committee to be known as the James Madison Commemoration Advisory Committee (in this Act referred to as the "Advisory Committee") are established.

36 USC note prec. 101.

SEC. 4. DUTIES.

(a) COMMISSION.—The Commission shall—

Government Printing Office, publication.

(1) in cooperation with the Advisory Committee and the Library of Congress, direct the Government Printing Office to compile and publish a substantial number of copies of a book (as directed by the Commission) containing a selection of the most important writings of James Madison and tributes to him by members of the Commission and other persons that the Commission deems appropriate;

(2) in cooperation with the Advisory Committee and the Library of Congress, plan and coordinate 1 or more symposia, at least 1 of which will be held on March 16, 2001, and all of which will be devoted to providing a better understanding of James Madison's contribution to American political culture;

(3) in cooperation with the Advisory Committee recognize such other events celebrating James Madison's birth and life as official events of the Commission;

(4) develop and coordinate any other activities relating to the anniversary of the birth of James Madison as may be appropriate;

(5) accept essay papers (via the Internet or otherwise) from students attending public and private institutions of elementary and secondary education in any State regarding James Madison's life and contributions to America and award certificates to students who author exceptional papers on this subject; and

(6) bestow honorary memberships to the Commission or to the Advisory Committee upon such persons as it deems appropriate.

(b) ADVISORY COMMITTEE.—The Advisory Committee shall—

(1) submit a suggested selection of James Madison's most important writings to the Commission for the Commission to

consider for inclusion in the book printed as provided in subsection (a)(1);

(2) submit a list and description of events concerning the birth and life of James Madison to the Commission for the Commission's consideration in recognizing such events as official "Commission Events"; and

(3) make such other recommendations to the Commission as a majority of its members deem appropriate.

SEC. 5. MEMBERSHIP.

36 USC note prec. 101.

(a) MEMBERSHIP OF THE COMMISSION.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 19 members, as follows:

(A) The Chief Justice of the United States or such individual's delegate who is an Associate Justice of the Supreme Court of the United States.

(B) The Majority Leader and the Minority Leader of the Senate or each such individual's delegate who is a Member of the Senate.

(C) The Speaker of the House of Representatives and the Minority Leader of the House of Representatives or each such individual's delegate who is a Member of the House of Representatives.

(D) The Chairman and the Ranking Member of the Committee on the Judiciary of the Senate or each such individual's delegate who is a member of such committee.

(E) The Chairman and the Ranking Member of the Committee on the Judiciary of the House of Representatives or each such individual's delegate who is a member of such committee.

(F) Two Members of the Senate selected by the Majority Leader of the Senate and 2 Members of the Senate selected by the Minority Leader of the Senate.

(G) Two members of the House of Representatives selected by the Speaker of the House of Representatives and 2 Members of the House of Representatives selected by the Minority Leader of the House of Representatives.

(H) Two members of the executive branch selected by the President of the United States.

President.

(2) CHAIRMAN AND VICE CHAIRMAN.—The Chief Justice of the United States shall serve as Chairman of the Commission and the members of the Commission shall select a vice chairman from its members, unless the Chief Justice appoints a delegate to serve in his stead, in which circumstance, the members of the Commission shall select a chairman and vice chairman from its members.

(b) MEMBERSHIP OF THE ADVISORY COMMITTEE.—

(1) NUMBER AND APPOINTMENT.—The Advisory Committee shall be composed of 14 members, as follows:

(A) The Archivist of the United States or such individual's delegate.

(B) The Secretary of the Smithsonian Institution or such individual's delegate.

(C) The Executive Director of Montpelier, the home of James Madison, and the 2001 Planning Committee of Montpelier or such individual's delegate.

(D) The President of James Madison University in Harrisonburg, Virginia or such individual's delegate.

(E) The Director of the James Madison Center, James Madison University in Harrisonburg, Virginia or such individual's delegate.

(F) The President of the James Madison Memorial Fellowship Foundation or such individual's delegate.

(G) Two members, who are not Members of Congress but have expertise on the legal and historical significance of James Madison, selected by the Majority Leader of the Senate, and 2 members, who are not Members of Congress but have expertise on the legal and historical significance of James Madison, selected by the Minority Leader of the Senate.

(H) Two members, who are not Members of Congress but who have expertise on the legal and historical significance of James Madison, selected by the Speaker of the House of Representatives, and 2 members, who are not Members of Congress but who have expertise on the legal and historical significance of James Madison, selected by the Minority Leader of the House of Representatives.

(2) CHAIRMAN AND VICE CHAIRMAN.—The members of the Advisory Committee shall select a chairman and vice chairman from its members.

Deadline.

(c) TERMS.—Each member of the Commission shall be selected and each member of the Advisory Committee shall be selected not later than 90 days after the date of enactment of this Act and shall serve for the life of the Commission and the Advisory Committee, respectively.

(d) VACANCIES.—A vacancy in the Commission shall be filled in the same manner in which the original appointment was made in subsection (a). A vacancy in the Advisory Committee shall be filled by the person holding the office named in subsection (b) or his designate.

(e) COMPENSATION.—

(1) RATES OF PAY.—Members of the Commission and the Advisory Committee shall serve without pay.

(2) TRAVEL EXPENSES.—Each member of the Commission and the Advisory Committee may receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(f) MEETINGS.—The Commission shall meet at the call of its chairman or a majority of its members. The Advisory Committee shall meet at the call of the chairman or a majority of its members.

(g) APPROVAL OF ACTIONS.—All official actions of the Commission under this Act shall be approved by the affirmative vote of not less than a majority of the members. All official actions of the Advisory Committee under this Act shall be approved by the affirmative vote of not less than a majority of the members.

36 USC note prec. 101.

SEC. 6. POWERS.

(a) DELEGATION OF AUTHORITY.—Any member or staff person of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take by this Act.

(b) CONTRACT AUTHORITY.—

(1) IN GENERAL.—The Commission may procure services and property, and make or enter into contracts, leases, or other legal agreements, in order to carry out this Act.

(2) RESTRICTION.—The contracts, leases, or other legal agreements made or entered into by the Commission shall not extend beyond the date of termination of the Commission.

(3) TERMINATION.—All supplies and property acquired by the Commission under this Act that remain in the possession of the Commission on the date of termination of the Commission shall become the property of the General Services Administration upon the date of the termination.

(c) INFORMATION.—

(1) IN GENERAL.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out this Act. Upon request of the chairperson of the Commission, the head of the Federal agency shall furnish the information to the Commission.

(2) EXCEPTION.—Paragraph (1) shall not apply to any information that the Commission is prohibited to secure or request by another law.

(d) RULES AND REGULATIONS.—The Commission may adopt such rules and regulations as may be necessary to conduct meetings and carry out its duties under this Act. The Commission may also adopt such rules for the Advisory Committee.

(e) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies, and the Committee on the Judiciary of the Senate may mail items on behalf of the Commission.

(f) NECESSARY AND PROPER POWERS.—The Commission may exercise such other powers as are necessary and proper in carrying out and effecting the purposes of this Act.

SEC. 7. STAFFING AND SUPPORT.

36 USC note prec. 101.

The Chairman of the Committee on the Judiciary of the Senate, the Chairman of the Committee on the Judiciary of the House of Representatives, and the Librarian of Congress shall provide the Commission and the Advisory Committee with such assistance, including staff support, facilities, and supplies at no charge, as may be necessary to carry out its duties.

SEC. 8. CONTRIBUTIONS.

36 USC note prec. 101.

(a) DONATIONS.—The Commission may accept donations of money, personal services, and property, both real and personal, including books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials related to James Madison.

(b) USE OF FUNDS.—

(1) IN GENERAL.—Any funds donated to the Commission may be used by the Commission to carry out this Act. The source and amount of such funds shall be listed in the interim and final reports required under section 9.

(2) PROCUREMENT REQUIREMENTS.—

(A) IN GENERAL.—In addition to any procurement requirement otherwise applicable to the Commission, the Commission shall conduct procurements of property or services involving donated funds pursuant to the small purchase procedures required by section 303(g) of the Federal Property and Administrative Services Act of 1949 (41

U.S.C. 253(g)). Section 15(j) of the Small Business Act (15 U.S.C. 644(j)) shall not apply to such procurements.

(B) DEFINITION.—In this paragraph, the term "donated funds" means any funds of which 50 percent or more derive from funds donated to the Commission.

(c) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(d) REMAINING FUNDS.—Funds remaining upon the date of termination of the Commission shall be used to ensure the proper disposition of property donated to the Commission as specified in the final report required by section 9.

Deadline.
36 USC note prec. 101.

SEC. 9. REPORTS.

(a) INTERIM REPORT.—Not later than February 15, 2001, the Commission shall prepare and submit to the President and Congress an interim report detailing the activities of the Commission, including an accounting of funds received and expended by the Commission, during the period beginning on the date of enactment of this Act and ending on December 31, 2000.

(b) FINAL REPORT.—Not later than February 15, 2002, the Commission shall submit to the President and to Congress a final report containing—

(1) a summary of the activities of the Commission;

(2) a final accounting of funds received and expended by the Commission;

(3) the findings, conclusions, and recommendations of the Commission;

(4) specific recommendations concerning the final disposition of historically significant items donated to the Commission under section 8(a), if any; and

(5) any additional views of any member of the Commission concerning the Commission's recommendations that such member requests to be included in the final report.

36 USC note prec. 101.

SEC. 10. AUDIT OF FINANCIAL TRANSACTIONS.

(a) IN GENERAL.—The Inspector General of the General Services Administration shall audit financial transactions of the Commission, including financial transactions involving donated funds, in accordance with generally accepted auditing standards. In conducting an audit pursuant to this section, the Inspector General shall have access to all books, accounts, financial records, reports, files, and other papers, items, or property in use by the Commission, as necessary to facilitate the audit, and shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

Deadlines.

(b) AUDIT REPORTS.—Not later than March 15, 2001, the Inspector General of the General Services Administration shall submit to the President and to Congress a report detailing the results of any audit of the financial transactions of the Commission conducted before January 1, 2001. Not later than March 15, 2002, such Inspector General shall submit to the President and to Congress a report detailing the results of any audit of the financial transactions of the Commission conducted during the period beginning on January 1, 2001, and ending on December 31, 2001.

SEC. 11. TERMINATION.

36 USC note prec. 101.

The Commission and the Advisory Committee shall terminate not later than 60 days following submission of the final report required by section 9.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

36 USC note prec. 101.

There are authorized to be appropriated to carry out this Act $250,000 for fiscal year 2001.

Approved December 19, 2000.

LEGISLATIVE HISTORY—S. 3137:

CONGRESSIONAL RECORD, Vol. 146 (2000):
Oct. 25, considered and passed Senate.
Dec. 4, considered and passed House.