

Suspend the Rules And Pass the Bill, H.R. 6364, with Amendments

(The amendments strike all after the enacting clause and insert a new text and a new title)

112TH CONGRESS
2^D SESSION

H. R. 6364

To establish a commission to ensure a suitable observance of the centennial of World War I, to designate memorials to the service of members of the United States Armed Forces in World War I, including a National World War I Memorial on the National Mall in the District of Columbia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2012

Mr. POE of Texas (for himself, Ms. NORTON, and Mr. CLEAVER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a commission to ensure a suitable observance of the centennial of World War I, to designate memorials to the service of members of the United States Armed Forces in World War I, including a National World War I Memorial on the National Mall in the District of Columbia, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Frank Buckles World War I Memorial Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Establishment of World War I Centennial Commission.
- Sec. 5. Duties of Centennial Commission.
- Sec. 6. Powers of Centennial Commission.
- Sec. 7. Centennial Commission personnel matters.
- Sec. 8. Termination of Centennial Commission.
- Sec. 9. Designation of National World War I Museum and Memorial in Kansas
City, Missouri.
- Sec. 10. Establishment of National World War I Memorial in the District of
Columbia.
- Sec. 11. Prohibition on obligation of Federal funds.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) From 2014 through 2018, the United
9 States and nations around the world will mark the
10 centennial of World War I, including the entry of
11 the United States into the war in April 1917.

12 (2) America’s support of Great Britain, France,
13 Belgium, and its other allies in World War I marked
14 the first time in United States history that Amer-
15 ican soldiers went abroad in defense of liberty
16 against foreign aggression, and it marked the true
17 beginning of the “American century”.

18 (3) Although World War I was at the time
19 called “the war to end all wars”, in fact the United

1 States would commit its troops to the defense of for-
2 eign lands 3 more times in the 20th century.

3 (4) More than 4,000,000 men and women from
4 the United States served in uniform during World
5 War I, among them 2 future presidents, Harry S.
6 Truman and Dwight D. Eisenhower. Two million in-
7 dividuals from the United States served overseas
8 during World War I, including 200,000 naval per-
9 sonnel who served on the seas. The United States
10 suffered 375,000 casualties during World War I, in-
11 cluding 116,516 deaths.

12 (5) The events of 1914 through 1918 shaped
13 the world, the United States, and the lives of mil-
14 lions of people.

15 (6) The centennial of World War I offers an op-
16 portunity for people in the United States to learn
17 about and commemorate the sacrifices of their pred-
18 ecessors.

19 (7) Commemorative programs, activities, and
20 sites allow people in the United States to learn
21 about the history of World War I, the United States
22 involvement in that war, and the war's effects on the
23 remainder of the 20th century, and to commemorate
24 and honor the participation of the United States and
25 its citizens in the war effort.

1 (8) While the other great conflicts of the 20th
2 century, World War II, the Korean War, and the
3 Vietnam War, have national memorials on the Mall
4 in Washington, DC, there currently exists no na-
5 tional memorial honoring the service of the United
6 States and its citizens in World War I.

7 (9) In 1921, the people of Kansas City, Mis-
8 souri, dedicated a site in that city for a memorial to
9 the service of Americans in World War I, a cere-
10 mony attended by General John J. Pershing and
11 military leaders of Great Britain, France, Belgium,
12 and Italy. In 1924, the cornerstone of the 217-foot
13 Liberty Memorial Tower was laid. On Armistice Day
14 1926, President Calvin Coolidge delivered the key
15 note address at the Memorial's dedication ceremony.
16 The Memorial and surrounding grounds were com-
17 pleted in 1938, with an inscription that reads "In
18 Honor of Those Who Served in the World War in
19 Defense of Liberty and Our Country."

20 (10) The 106th Congress recognized the Lib-
21 erty Memorial as a national symbol of World War I.

22 (11) The 108th Congress designated the mu-
23 seum at the base of the Liberty Memorial as "Amer-
24 ica's National World War I Museum". The museum

1 preserves the story of World War I, and educates
2 and enlightens people about this significant event.

3 **SEC. 3. DEFINITIONS.**

4 In this Act—

5 (1) AMERICA'S NATIONAL WORLD WAR I MU-
6 SEUM.—The term “America’s National World War I
7 Museum” means the Liberty Memorial Museum in
8 Kansas City, Missouri, as recognized by Congress in
9 section 1031(b) of the Ronald W. Reagan National
10 Defense Authorization Act for Fiscal Year 2005
11 (Public Law 108–375; 118 Stat. 2045).

12 (2) CENTENNIAL COMMISSION.—The term
13 “Centennial Commission” means the World War I
14 Centennial Commission established by section 4(a).

15 (3) MEMORIAL FOUNDATION.—The term “Me-
16 morial Foundation” means the World War I Memo-
17 rial Foundation authorized to establish the National
18 World War I Memorial in the District of Columbia
19 under section 10.

20 (4) VETERANS SERVICE ORGANIZATION.—The
21 term “veterans service organization” means any or-
22 ganization recognized by the Secretary of Veterans
23 Affairs for the representation of veterans under sec-
24 tion 5902 of title 38, United States Code.

1 **SEC. 4. ESTABLISHMENT OF WORLD WAR I CENTENNIAL**
2 **COMMISSION.**

3 (a) **ESTABLISHMENT.**—There is established a com-
4 mission to be known as the “World War I Centennial
5 Commission”.

6 (b) **MEMBERSHIP.**—

7 (1) **COMPOSITION.**—The Centennial Commis-
8 sion shall be composed of 12 members as follows:

9 (A) Two members who shall be appointed
10 by the Speaker of the House of Representatives.

11 (B) One member who shall be appointed
12 by the minority leader of the House of Rep-
13 resentatives.

14 (C) Two members who shall be appointed
15 by the majority leader of the Senate.

16 (D) One member who shall be appointed
17 by the minority leader of the Senate.

18 (E) Three members who shall be appointed
19 by the President from among persons who are
20 broadly representative of the people of the
21 United States (including members of the Armed
22 Forces, veterans, and representatives of vet-
23 erans service organizations).

24 (F) One member who shall be appointed by
25 the executive director of the Veterans of For-
26 eign Wars of the United States.

1 (G) One member who shall be appointed by
2 the executive director of the American Legion.

3 (H) One member who shall be appointed
4 by the president of the Liberty Memorial Asso-
5 ciation.

6 (2) TIME FOR APPOINTMENT.—The members of
7 the Centennial Commission shall be appointed not
8 later than 60 days after the date of the enactment
9 of this Act.

10 (3) PERIOD OF APPOINTMENT.—Each member
11 shall be appointed for the life of the Centennial
12 Commission.

13 (4) VACANCIES.—A vacancy in the Centennial
14 Commission shall be filled in the manner in which
15 the original appointment was made.

16 (c) MEETINGS.—

17 (1) INITIAL MEETING.—

18 (A) IN GENERAL.—Not later than 30 days
19 after the date on which all members of the Cen-
20 tennial Commission have been appointed, the
21 Centennial Commission shall hold its first meet-
22 ing.

23 (B) LOCATION.—The location for the
24 meeting held under subparagraph (A) shall be
25 the America's National World War I Museum.

1 (2) SUBSEQUENT MEETINGS.—

2 (A) IN GENERAL.—The Centennial Com-
3 mission shall meet at the call of the Chair.

4 (B) FREQUENCY.—The Chair shall call a
5 meeting of the members of the Centennial Com-
6 mission not less frequently than once each year.

7 (C) LOCATION.—Not less frequently than
8 once each year, the Centennial Commission
9 shall meet at the America's National World
10 War I Museum.

11 (3) QUORUM.—Seven members of the Centen-
12 nial Commission shall constitute a quorum, but a
13 lesser number may hold hearings.

14 (d) CHAIR AND VICE CHAIR.—The Centennial Com-
15 mission shall select a Chair and Vice Chair from among
16 its members.

17 **SEC. 5. DUTIES OF CENTENNIAL COMMISSION.**

18 (a) IN GENERAL.—The duties of the Centennial
19 Commission are as follows:

20 (1) To plan, develop, and execute programs,
21 projects, and activities to commemorate the centen-
22 nial of World War I.

23 (2) To encourage private organizations and
24 State and local governments to organize and partici-

1 pate in activities commemorating the centennial of
2 World War I.

3 (3) To facilitate and coordinate activities
4 throughout the United States relating to the centen-
5 nial of World War I.

6 (4) To serve as a clearinghouse for the collec-
7 tion and dissemination of information about events
8 and plans for the centennial of World War I.

9 (5) To develop recommendations for Congress
10 and the President for commemorating the centennial
11 of World War I.

12 (b) REPORTS.—

13 (1) PERIODIC REPORT.—Not later than the last
14 day of the 6-month period beginning on the date of
15 the enactment of this Act, and not later than the
16 last day of each 3-month period thereafter, the Cen-
17 tennial Commission shall submit to Congress and
18 the President a report on the activities and plans of
19 the Centennial Commission.

20 (2) RECOMMENDATIONS.—Not later than 2
21 years after the date of the enactment of this Act, the
22 Centennial Commission shall submit to Congress
23 and the President a report containing specific rec-
24 ommendations for commemorating the centennial of
25 World War I and coordinating related activities.

1 **SEC. 6. POWERS OF CENTENNIAL COMMISSION.**

2 (a) HEARINGS.—The Centennial Commission may
3 hold such hearings, sit and act at such times and places,
4 take such testimony, and receive such evidence as the Cen-
5 tennial Commission considers appropriate to carry out its
6 duties under this Act.

7 (b) POWERS OF MEMBER AND AGENTS.—If author-
8 ized by the Centennial Commission, any member or agent
9 of the Centennial Commission may take any action which
10 the Centennial Commission is authorized to take under
11 this Act.

12 (c) INFORMATION FROM FEDERAL AGENCIES.—The
13 Centennial Commission shall secure directly from any
14 Federal department or agency such information as the
15 Centennial Commission considers necessary to carry out
16 the provisions of this Act. Upon the request of the Chair
17 of the Centennial Commission, the head of such depart-
18 ment or agency shall furnish such information to the Cen-
19 tennial Commission.

20 (d) ADMINISTRATIVE SUPPORT SERVICES.—Upon
21 the request of the Centennial Commission, the Adminis-
22 trator of the General Services Administration shall provide
23 to the Centennial Commission, on a reimbursable basis,
24 the administrative support services necessary for the Cen-
25 tennial Commission to carry out its responsibilities under
26 this Act.

1 (e) CONTRACT AUTHORITY.—

2 (1) IN GENERAL.—Except as provided in para-
3 graph (2), the Centennial Commission is author-
4 ized—

5 (A) to procure supplies, services, and prop-
6 erty; and

7 (B) to make or enter into contracts, leases,
8 or other legal agreements.

9 (2) LIMITATION.—The Centennial Commission
10 may not enter into any contract, lease, or other legal
11 agreement that extends beyond the date of the ter-
12 mination of the Centennial Commission under sec-
13 tion 8(a).

14 (f) POSTAL SERVICES.—The Centennial Commission
15 may use the United States mails in the same manner and
16 under the same conditions as other departments and agen-
17 cies of the Federal Government.

18 (g) GIFTS, BEQUESTS, AND DEVICES.—The Centen-
19 nial Commission shall accept, use, and dispose of gifts,
20 bequests, or devises of services or property, both real and
21 personal, for the purpose of covering the costs incurred
22 by the Centennial Commission to carry out its duties
23 under this Act.

1 **SEC. 7. CENTENNIAL COMMISSION PERSONNEL MATTERS.**

2 (a) **COMPENSATION OF MEMBERS.**—Members of the
3 Centennial Commission shall serve without compensation
4 for such service.

5 (b) **TRAVEL EXPENSES.**—Each member of the Cen-
6 tennial Commission shall be allowed travel expenses, in-
7 cluding per diem in lieu of subsistence, in accordance with
8 the applicable provisions of title 5, United States Code.

9 (c) **STAFF.**—

10 (1) **IN GENERAL.**—The Chair of the Centennial
11 Commission shall, in consultation with the members
12 of the Centennial Commission, appoint an executive
13 director and such other additional personnel as may
14 be necessary to enable the Centennial Commission to
15 perform its duties.

16 (2) **COMPENSATION.**—

17 (A) **IN GENERAL.**—Subject to subpara-
18 graph (B), the Chair of the Centennial Commis-
19 sion may fix the compensation of the executive
20 director and any other personnel appointed
21 under paragraph (1).

22 (B) **LIMITATION.**—The Chair of the Cen-
23 tennial Commission may not fix the compensa-
24 tion of the executive director or other personnel
25 appointed under paragraph (1) at a rate that
26 exceeds the rate of payable for level IV of the

1 Executive Schedule under section 5315 of title
2 5, United States Code.

3 (C) WORK LOCATION.—If the city govern-
4 ment for Kansas City, Missouri, and the Lib-
5 erty Memorial Association make space available
6 in the building in which the America’s National
7 World War I Museum is located, the executive
8 director of the Centennial Commission and
9 other personnel appointed under paragraph (1)
10 shall work in such building to the extent prac-
11 tical.

12 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon
13 request of the Centennial Commission, the head of any
14 Federal department or agency may detail, on a reimburs-
15 able basis, any employee of that department or agency to
16 the Centennial Commission to assist it in carrying out its
17 duties under this Act.

18 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
19 TENT SERVICES.—The Chair of the Centennial Commis-
20 sion may procure temporary and intermittent services
21 under section 3109(b) of title 5, United States Code.

22 (f) SOURCE OF FUNDS.—Gifts, bequests, and devises
23 of services or property, both real and personal, received
24 by the Centennial Commission under section 6(g) shall be

1 the only source of funds to cover the costs incurred by
2 the Centennial Commission under this section.

3 **SEC. 8. TERMINATION OF CENTENNIAL COMMISSION.**

4 (a) IN GENERAL.—The Centennial Commission shall
5 terminate on the earlier of—

6 (1) the date that is 30 days after the date the
7 completion of the activities under this Act honoring
8 the centennial observation of World War I; or

9 (2) July 28, 2019.

10 (b) APPLICATION OF FEDERAL ADVISORY COM-
11 MITTEE ACT.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (2), the provisions of the Federal Advisory
14 Committee Act (5 U.S.C. App.) shall apply to the
15 activities of the Centennial Commission under this
16 Act.

17 (2) EXCEPTION.—Section 14(a)(2) of such Act
18 shall not apply to the Centennial Commission.

19 **SEC. 9. DESIGNATION OF NATIONAL WORLD WAR I MU-
20 SEUM AND MEMORIAL IN KANSAS CITY, MIS-
21 SOURI.**

22 (a) IN GENERAL.—The Liberty Memorial of Kansas
23 City at America’s National World War I Museum in Kan-
24 sas City, Missouri, is hereby designated as the “National
25 World War I Museum and Memorial”.

1 (b) CEREMONIES.—The Centennial Commission may
2 plan, develop, and execute ceremonies to recognize the des-
3 ignation of the Liberty Memorial of Kansas City as the
4 National World War I Museum and Memorial.

5 **SEC. 10. ESTABLISHMENT OF NATIONAL WORLD WAR I ME-**
6 **MEMORIAL IN THE DISTRICT OF COLUMBIA.**

7 (a) AUTHORITY TO ESTABLISH COMMEMORATIVE
8 WORK.—The World War I Memorial Foundation may es-
9 tablish a commemorative work on Federal land in the Dis-
10 trict of Columbia and its environs to consist of an appro-
11 priate sculptural or other commemorative elements to
12 serve as the National World War I Memorial.

13 (b) LIMITATION ON SIZE OF MEMORIAL.—The Na-
14 tional World War I Memorial may not exceed 0.5 acres
15 in size.

16 (c) COMPLIANCE WITH STANDARDS FOR COMMEMO-
17 RATIVE WORKS.—

18 (1) IN GENERAL.—Chapter 89 of title 40,
19 United States Code, shall apply to the establishment
20 of the National World War I Memorial in the Dis-
21 trict of Columbia and its environs.

22 (2) EXCEPTION FROM PROHIBITION ON ADDI-
23 TIONAL COMMEMORATIVE WORKS IN RESERVE.—
24 Section 8908(c) of title 40, United States Code, does

1 not apply with respect to the selection of the site for
2 the National World War I Memorial.

3 (3) NO INFRINGEMENT UPON EXISTING MEMO-
4 RIAL.—The site selected for the National World War
5 I Memorial may not infringe upon or adversely im-
6 pact the District of Columbia War Memorial.

7 (d) LIMITATION ON TOTAL COST.—The total cost to
8 design and construct the National World War I Memorial
9 may not exceed \$10,000,000.

10 (e) DEPOSIT OF EXCESS FUNDS.—

11 (1) UPON ESTABLISHMENT OF MEMORIAL.—If,
12 upon payment of all expenses for the establishment
13 of the National World War I Memorial (including
14 the maintenance and preservation amount required
15 by section 8906(b)(1) of title 40, United States
16 Code), there remains a balance of funds received for
17 the establishment of the memorial, the Memorial
18 Foundation shall transmit the amount of the balance
19 to the account provided for in section 8906(b)(3) of
20 such title.

21 (2) UPON EXPIRATION OF AUTHORITY TO ES-
22 TABLISH MEMORIAL.—If, upon expiration of the au-
23 thority for the National World War I Memorial
24 under section 8903(e) of title 40, United States
25 Code, there remains a balance of funds received for

1 the establishment of the memorial, the Memorial
2 Foundation shall transmit the amount of the balance
3 to a separate account with the National Park Foun-
4 dation for memorials, to be available to the Sec-
5 retary of the Interior or Administrator of General
6 Services (as appropriate) following the process pro-
7 vided in section 8906(b)(4) of such title for accounts
8 established under section 8906(b)(3) of such title.

9 (f) CEREMONIES.—The Centennial Commission may
10 plan, develop, and execute ceremonies to recognize the es-
11 tablishment of the National World War I Memorial.

12 (g) MEMORIAL AREA DEFINED.—In this section, the
13 term “District of Columbia and its environs” has the
14 meaning given that term in section 8902(a)(2) of title 40,
15 United States Code.

16 **SEC. 11. PROHIBITION ON OBLIGATION OF FEDERAL**
17 **FUNDS.**

18 No Federal funds may be obligated to carry out this
19 Act.

Amend the title so as to read: “A bill to establish a commission to ensure a suitable observance of the centennial of World War I, to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, and for other purposes.”.