

103D CONGRESS
1ST SESSION

H. R. 3408

To establish the New Orleans Jazz National Historical Park in the State of Louisiana, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 1993

Mr. JEFFERSON (for himself, Mr. FIELDS of Louisiana, Mr. HAYES, Mr. LIVINGSTON, and Mr. TAUZIN) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the New Orleans Jazz National Historical Park in the State of Louisiana, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “New Orleans Jazz Na-
5 tional Historical Park Act of 1993”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) jazz is the United States’ most widely rec-
9 ognized indigenous music and art form. Congress
10 previously recognized jazz in 1987 through Senate

1 Concurrent Resolution 57 as a rare and valuable na-
2 tional treasure of international importance;

3 (2) the city of New Orleans is widely recognized
4 as the birthplace of jazz. In and around this city,
5 cultural and musical elements blended to form the
6 unique American music that is known as New Orle-
7 ans jazz, which is an expression of the cultural di-
8 versity of the lower Mississippi Delta Region; and

9 (3) Jean Lafitte National Historical Park and
10 Preserve was established to commemorate the cul-
11 tural diversity of the lower Mississippi Delta Region
12 including a range of cultural expressions like jazz.

13 (b) PURPOSE.—In furtherance of the need to recog-
14 nize the value and importance of jazz, it is the purpose
15 of this Act to establish a New Orleans Jazz National His-
16 torical Park, together with associated educational pro-
17 grams, as a unit of the Jean Lafitte National Historical
18 Park and Preserve which is headquartered in New Orle-
19 ans, Louisiana. The historical park shall preserve the ori-
20 gins and early history of jazz; provide visitors with oppor-
21 tunities to experience the sights, sounds, and places where
22 jazz evolved; and implement innovative ways of establish-
23 ing jazz educational partnerships that will help to ensure
24 that jazz continues as a vital element of the culture of
25 New Orleans and our Nation.

1 **SEC. 3. ESTABLISHMENT.**

2 (a) IN GENERAL.—In order to assist in the preserva-
3 tion, education, and interpretation of jazz as it has evolved
4 in New Orleans, and to provide technical assistance to a
5 broad range of organizations involved with jazz music and
6 its history, there is hereby established the New Orleans
7 Jazz National Historical Park (hereinafter referred to as
8 the “historical park”). The historical park shall be admin-
9 istered and managed as a unit of the Jean Lafitte Na-
10 tional Historical Park and Preserve, which was established
11 to preserve and interpret the cultural and natural re-
12 sources of the lower Mississippi Delta Region.

13 (b) AREA INCLUDED.—The historical park shall con-
14 sist of lands and interests therein as follows—

15 (1) lands which the Secretary of the Interior
16 (hereinafter referred to as the “Secretary”) may
17 designate for an interpretive visitor center complex;

18 (2) sites that are the subject of cooperative
19 agreements with the National Park Service for the
20 purposes of interpretive demonstrations and pro-
21 grams associated with the purposes of this Act; and

22 (3)(A) sites designated by the Secretary as pro-
23 vided in subparagraph (B);

24 (B)(i) the Secretary is directed to undertake a
25 national historic landmark evaluation of sites associ-
26 ated with jazz in and around New Orleans as identi-

1 fied in the document entitled “New Orleans Jazz
2 Special Resource Study”, prepared by the National
3 Park Service pursuant to Public Law 101–499. In
4 undertaking the evaluation, the Secretary shall, to
5 the extent practicable, utilize existing information
6 relating to such sites, and

7 (ii) if any of the sites evaluated are found to
8 meet the standards of the National Historic Land-
9 mark program and National Park Service tests of
10 suitability and feasibility, and offer outstanding op-
11 portunities to further the purposes of this Act, the
12 Secretary may designate such sites as part of the
13 historical park, following consultation with the city
14 of New Orleans, the Smithsonian Institution, and
15 the Delta Region Preservation Commission, and no-
16 tification to the Committee on Energy and Natural
17 Resources of the United States Senate and the Com-
18 mittee on Natural Resources of the United States
19 House of Representatives.

20 **SEC. 4. ADMINISTRATION.**

21 (a) **IN GENERAL.**—The Secretary shall administer
22 the historical park in accordance with this Act and with
23 provisions of law generally applicable to units of the Na-
24 tional Park System, including the Act entitled “An Act
25 to establish a National Park Service, and for other pur-

1 poses,” approved August 25, 1916 (39 Stat. 535; 15
2 U.S.C. 1, 2–4); the Act of August 21, 1935 (49 Stat. 666;
3 16 U.S.C. 461–467); and title IX of Public Law 95–625,
4 the enabling Act for Jean Lafitte National Historical Park
5 and Preserve, as amended (16 U.S.C. 230). The Secretary
6 shall manage the historical park in such a manner as will
7 preserve and perpetuate knowledge and understanding of
8 the history of jazz and its continued evolution as a true
9 American art form.

10 (b) DONATIONS.—The Secretary may accept and re-
11 tain donations of funds, property, or services from individ-
12 uals, foundations, corporations, or other public entities for
13 the purposes of providing services, programs, and facilities
14 that further the purposes of this Act.

15 (c) INTERPRETIVE CENTER.—The Secretary is au-
16 thorized to lease, construct, operate, or maintain an inter-
17 pretive center in New Orleans. Programs at the center
18 may include live jazz interpretive and education programs,
19 and shall provide visitors with information about jazz-re-
20 lated programs, performances, and opportunities.

21 (d) JAZZ HERITAGE DISTRICTS.—The Secretary may
22 provide technical assistance to the city of New Orleans and
23 other appropriate entities for the designation of certain
24 areas in and around New Orleans as jazz heritage dis-
25 tricts. Such districts shall include those areas with an ex-

1 ceptional concentration of jazz historical sites and estab-
2 lished community traditions of jazz street parades.

3 (e) COOPERATIVE AGREEMENTS, GRANTS, AND
4 TECHNICAL ASSISTANCE.—In furtherance of the purposes
5 of this Act—

6 (1) the Secretary, after consultation with the
7 New Orleans Jazz Commission established pursuant
8 to section 7, is authorized to enter into cooperative
9 agreements with owners of properties that are des-
10 ignated pursuant to section 3(b)(3) which provide
11 outstanding educational and interpretive opportuni-
12 ties relating to the evolution of jazz in New Orleans.
13 The Secretary may assist in the rehabilitation and
14 restoration of, mark, interpret, and provide technical
15 assistance for the preservation and interpretation of
16 such properties. Such agreements shall contain, but
17 need not be limited to, provisions that the National
18 Park Service will have reasonable rights of access
19 for operational and visitor use needs, that rehabilita-
20 tion and restoration will meet the Secretary's stand-
21 ards for rehabilitation of historic buildings, and that
22 specify the roles and responsibilities of the Secretary
23 for each site or structure;

24 (2) the Secretary is authorized to enter into co-
25 operative agreements with the city of New Orleans,

1 the State of Louisiana, and other appropriate public
2 and private organizations under which the other par-
3 ties to the agreement may contribute to the acquisi-
4 tion, construction, operation, and maintenance of the
5 interpretive center and to the operation of edu-
6 cational and interpretive programs to further the
7 purposes of this Act; and

8 (3) the Secretary, in consultation with the Com-
9 mission, is authorized to provide grants or technical
10 assistance to public and private organizations.

11 (f) JAZZ EDUCATIONAL PROGRAMS.—The Secretary
12 shall, in the administration of the historical park, promote
13 a broad range of educational activities relating to jazz and
14 its history. The Secretary shall cooperate with schools,
15 universities, and organizations supporting jazz education
16 to develop educational programs that provide expanded
17 public understanding of jazz and enhanced opportunities
18 for public appreciation. The Secretary may assist appro-
19 priate entities in the development of an information base
20 including archival material, audiovisual records, and ob-
21 jects that relate to the history of jazz.

22 **SEC. 5. ACQUISITION OF PROPERTY.**

23 (a) GENERAL AUTHORITY.—The Secretary may ac-
24 quire lands and interests therein within the sites des-
25 ignated pursuant to section 3(b)(1) and (3) by donation

1 or purchase with donated or appropriated funds: *Provided*,
2 That sites designated pursuant to section 3(b)(3) shall
3 only be acquired with the consent of the owner thereof.

4 (b) STATE AND LOCAL PROPERTIES.—Lands and in-
5 terests in lands which are owned by the State of Louisi-
6 ana, or any political subdivision thereof, may be acquired
7 only by donation.

8 **SEC. 6. GENERAL MANAGEMENT PLAN.**

9 Within 3 years after the date funds are made avail-
10 able therefor and concurrent with the national landmark
11 study referenced in section 3(b)(3), the Secretary, in con-
12 sultation with the New Orleans Jazz Commission, shall
13 prepare a general management plan for the historical
14 park. The plan shall include, but need not be limited to—

15 (1) a visitor use plan indicating programs and
16 facilities associated with park programs that will be
17 made available to the public;

18 (2) preservation and use plans for any struc-
19 tures and sites that are identified through the his-
20 toric landmark study for inclusion within the histori-
21 cal park;

22 (3) the location and associated cost of public fa-
23 cilities that are proposed for inclusion within the his-
24 torical park, including a visitor center;

1 (4) identification of programs that the Sec-
2 retary will implement or be associated with through
3 cooperative agreements with other groups and orga-
4 nizations;

5 (5) a transportation plan that addresses visitor
6 use access needs to sites, facilities, and programs
7 central to the purpose of the historical park;

8 (6) plans for the implementation of an archival
9 system for materials, objects, and items of impor-
10 tance relating to the history of jazz; and

11 (7) guidelines for the application of cooperative
12 agreements that will be used to assist in the man-
13 agement of historical park facilities and programs.

14 **SEC. 7. ESTABLISHMENT OF THE NEW ORLEANS JAZZ COM-**
15 **MISSION.**

16 (a) ESTABLISHMENT.—To assist in implementing the
17 purposes of this Act and the document entitled “New Or-
18 leans Jazz Special Resource Study,” there is established
19 the New Orleans Jazz Commission (hereinafter referred
20 to as the “Commission”).

21 (b) MEMBERSHIP.—The Commission shall consist of
22 15 members to be appointed no later than 6 months after
23 the date of enactment of this Act. The Commission shall
24 be appointed by the Secretary as follows:

1 (1) one member recommended by the Mayor of
2 New Orleans;

3 (2) two members who have recognized experi-
4 ence in music education programs that emphasize
5 jazz;

6 (3) one member, with experience and knowledge
7 of tourism in the greater New Orleans area, from
8 recommendations submitted by local businesses;

9 (4) one member recommended by the Board of
10 the New Orleans Jazz and Heritage Foundation;

11 (5) one member, with experience and knowledge
12 of historic preservation within the New Orleans area;

13 (6) two members who are recognized musicians
14 with knowledge and experience in the development of
15 jazz in New Orleans;

16 (7) one member with recognized expertise in
17 jazz and folklore preservation and interpretation,
18 recommended by the Director of the Louisiana State
19 Museum;

20 (8) two members who represent local neighbor-
21 hood groups or other local associations, rec-
22 ommended by the Mayor of New Orleans;

23 (9) one member representing local social and
24 pleasure clubs, recommended by the Mayor of New
25 Orleans;

1 (10) one member recommended by the Governor
2 of the State of Louisiana, who shall be a member of
3 the Louisiana State Music Commission;

4 (11) the Chairman of the Delta Regional Pres-
5 ervation Commission, *ex officio*; and

6 (12) the Director of the National Park Service,
7 or the Director's designee, *ex officio*.

8 (c) DUTIES OF THE COMMISSION.—The Commission
9 shall—

10 (1) advise the Secretary in the preparation of
11 the general management plan for the historical park;
12 assist in public discussions of planning proposals;
13 and assist the National Park Service in working
14 with individuals, groups, and organizations including
15 economic and business interests in determining pro-
16 grams in which the Secretary should participate
17 through cooperative agreements;

18 (2) in consultation and cooperation with the
19 Secretary, develop partnerships with educational
20 groups, schools, universities, and other groups to
21 furtherance of the purposes of this Act;

22 (3) in consultation and cooperation with the
23 Secretary, develop partnerships with citywide organi-
24 zations, and raise and disperse funds for programs
25 that assist mutual aid and benevolent societies in en-

1 couraging the continuation of and enhancement of
2 jazz cultural traditions;

3 (4) acquire or lease property for jazz education,
4 and advising on hiring brass bands and musical
5 groups to participate in education programs and
6 help train young musicians;

7 (5) in consultation and cooperation with the
8 Secretary, provide recommendations for the location
9 of the visitor center and other interpretive sites;

10 (6) assist the Secretary in providing funds to
11 support research on the origins and early history of
12 jazz in New Orleans; and

13 (7) notwithstanding any other provision of law,
14 seek and accept donations of funds, property, or
15 services from individuals, foundations, corporations,
16 or other public or private entities and expend and
17 use the same for the purposes of providing services,
18 programs, and facilities for jazz education, or assist-
19 ing in the rehabilitation and restoration of struc-
20 tures identified in the national historic landmark
21 study referenced in section 3(b)(3) as having out-
22 standing significance to the history of jazz in New
23 Orleans.

24 (d) APPOINTMENT.—Members of the Commission
25 shall be appointed for staggered terms of 3 years, as des-

1 igned by the Secretary at the time of the initial appoint-
2 ment.

3 (e) CHAIRMAN.—The Commission shall elect a chair-
4 man from among its members. The term of the chairman
5 shall be for 3 years. The chairman of the Commission shall
6 serve as an ex officio member of the Delta Regional Pres-
7 ervation Commission.

8 (f) TERMS.—Any member of the Commission ap-
9 pointed by the Secretary for a 3-year term may serve after
10 the expiration of his or her term until a successor is ap-
11 pointed. Any vacancy shall be filled in the same manner
12 in which the original appointment was made. Any member
13 appointed to fill a vacancy shall serve for the remainder
14 of the term for which the predecessor was appointed.

15 (g) PER DIEM EXPENSES.—Members of the Commis-
16 sion shall serve without compensation. Members shall be
17 entitled to travel expenses under section 5703, title 5,
18 United States Code, when engaged in Commission busi-
19 ness, including per diem in lieu of subsistence in the same
20 manner as persons employed intermittently.

21 (h) ADMINISTRATIVE SUPPORT.—The Secretary shall
22 provide the Commission with assistance in obtaining such
23 personnel, equipment, and facilities as may be needed by
24 the Commission to carry out its duties.

1 (i) ANNUAL REPORT.—The Commission shall submit
2 an annual report to the Secretary identifying its expenses
3 and income and the entities to which any grants or tech-
4 nical assistance were made during the year for which the
5 report is made.

6 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

7 There is authorized to be appropriated such sums as
8 may be necessary to carry out this Act.

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