

105TH CONGRESS
1ST SESSION

H. R. 2305

To establish a commission to assist in commemoration of the centennial of powered flight and the achievements of the Wright brothers.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 1997

Mr. HALL of Ohio (for himself and Mr. JONES) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

A BILL

To establish a commission to assist in commemoration of the centennial of powered flight and the achievements of the Wright brothers.

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 “Centennial of Flight
5 Commemoration Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) December 17, 2003, is the 100th anniver-
9 sary of the first successful manned, free, controlled,

1 and sustained flight by a power-driven, heavier-than-
2 air machine;

3 (2) the first flight by Orville and Wilbur Wright
4 represents the fulfillment of the age-old dream of
5 flying;

6 (3) the airplane has dramatically changed the
7 course of transportation, commerce, communication,
8 and warfare throughout the world;

9 (4) the achievement by the Wright brothers
10 stands as a triumph of American ingenuity, inven-
11 tiveness, and diligence in developing new tech-
12 nologies, and remains an inspiration for all Ameri-
13 cans;

14 (5) it is appropriate to remember and renew the
15 legacy of the Wright brothers at a time when the
16 values of creativity and daring represented by the
17 Wright brothers are critical to the future of the Na-
18 tion; and

19 (6) as the Nation approaches the 100th anni-
20 versary of powered flight, it is appropriate to cele-
21 brate and commemorate the centennial year through
22 local, national, and international observances and ac-
23 tivities.

1 **SEC. 3. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 Centennial of Flight Commission.

4 **SEC. 4. MEMBERSHIP.**

5 (a) NUMBER AND APPOINTMENT.—

6 (1) IN GENERAL.—The Commission shall be
7 composed of 21 members, as follows:

8 (A) The Secretary of the Interior, or a des-
9 ignee.

10 (B) The Director of the National Air and
11 Space Museum, or a designee.

12 (C) The Secretary of Defense, or a des-
13 ignee.

14 (D) The Secretary of Transportation, or a
15 designee.

16 (E) The Administrator of the National
17 Aeronautics and Space Administration, or a
18 designee.

19 (F) Two representatives from the State of
20 North Carolina, including—

21 (i) the chairman of the First Flight
22 Centennial Commission, or a designee; and

23 (ii) the president of the First Flight
24 Centennial Foundation, or a designee.

25 (G) Two representatives from the State of
26 Ohio, including—

- 1 (i) the Governor, or a designee; and
2 (ii) the chairman of the 2003 Com-
3 mittee, or a designee.

4 (H) Twelve citizens of the United States,
5 appointed by the President, who are not officers
6 or employees of any government, except to the
7 extent that they are considered to be such offi-
8 cers or employees by virtue of their membership
9 on the Commission.

10 (2) APPOINTMENTS BY PRESIDENT.—Of the in-
11 dividuals referred to in paragraph (1)(H)—

12 (A) two shall be chosen from among per-
13 sons recommended by the majority leader of the
14 Senate in consultation with the minority leader
15 of the Senate;

16 (B) two shall be chosen from among per-
17 sons recommended by the Speaker of the House
18 of Representatives in consultation with the mi-
19 nority leader of the House of Representatives.
20 Of the individuals referred to in this subpara-
21 graph, one shall be chosen from among individ-
22 uals recommended by the Representative whose
23 district encompasses the Wright Brothers Na-
24 tional Memorial, and one shall be chosen from
25 among individuals recommended by the Rep-

1 representatives whose districts encompass any part
2 of the Dayton Aviation Heritage National His-
3 torical Park; and

4 (C) eight shall be chosen based on quali-
5 fications or experience in the field of history,
6 aerospace science or industry, or any other pro-
7 fession that would enhance the work of the
8 Commission and assist in commemorating the
9 accomplishments of the Wright brothers.

10 (b) TIME OF APPOINTMENT.—Each member of the
11 Commission shall be appointed not later than 90 days
12 after the date of the enactment of this Act.

13 (c) TERMS.—Each member of the Commission shall
14 be appointed for the life of the Commission except for
15 those designees serving at the pleasure of a public office-
16 holder, whose terms shall expire contemporaneously with
17 the terms of the public official being represented.

18 (d) VACANCIES.—Any vacancy in the Commission
19 shall be filled in the same manner in which the original
20 appointment was made.

21 (e) COMPENSATION.—

22 (1) PROHIBITION OF PAY.—Except as provided
23 in paragraph (2), members of the Commission shall
24 serve without pay.

1 (2) TRAVEL EXPENSES.—Each member of the
2 Commission may receive travel expenses, including
3 per diem in lieu of subsistence, in accordance with
4 sections 5702 and 5703 of title 5, United States
5 Code, except that those members who are Federal
6 employees shall not receive travel expenses if other-
7 wise reimbursed by the Federal Government.

8 (f) QUORUM.—Eleven members of the Commission
9 shall constitute a quorum.

10 (g) CHAIRPERSON.—The President shall designate
11 one of the individuals appointed under subsection
12 (a)(1)(H) as the chairperson of the Commission.

13 (h) MEETINGS.—The Commission shall meet at the
14 call of its chairperson or a majority of its members.

15 **SEC. 5. DUTIES.**

16 (a) IN GENERAL.—The Commission shall—

17 (1) represent the United States and take a
18 leadership role with other countries in recognizing
19 the importance of aviation history in general and the
20 centennial of powered flight in particular, and pro-
21 mote participation by the United States in such ac-
22 tivities;

23 (2) encourage and promote national and inter-
24 national participation and sponsorships in com-

1 memoration of the centennial of powered flight by
2 persons and entities such as—

3 (A) aerospace manufacturing companies;

4 (B) aerospace-related military organiza-
5 tions;

6 (C) workers employed in aerospace-related
7 industries;

8 (D) commercial aviation companies;

9 (E) general aviation owners and pilots;

10 (F) aerospace researchers, instructors, and
11 enthusiasts;

12 (G) elementary, secondary, and higher edu-
13 cational institutions;

14 (H) civil, patriotic, educational, sporting,
15 arts, cultural, and historical organizations and
16 technical societies;

17 (I) aerospace-related museums; and

18 (J) State and local governments;

19 (3) plan and develop, in coordination with the
20 First Flight Centennial Commission, the First
21 Flight Centennial Foundation of North Carolina,
22 and the 2003 Committee of Ohio, programs and ac-
23 tivities that are appropriate to commemorate the
24 100th anniversary of powered flight;

1 (4) maintain, publish, and distribute a calendar
2 or register of national and international programs
3 and projects concerning, and provide a central clear-
4 inghouse for information and coordination regarding,
5 dates, events, and places of historical and commemo-
6 rative significance regarding aviation history in gen-
7 eral and the centennial of powered flight in particu-
8 lar;

9 (5) provide national coordination for celebration
10 dates to take place throughout the United States
11 during the centennial year;

12 (6) assist in conducting educational, civic, and
13 commemorative activities relating to the centennial
14 of powered flight throughout the United States, es-
15 pecially activities that occur in the States of North
16 Carolina and Ohio and that highlight the activities
17 of the Wright brothers in such States; and

18 (7) plan, develop, and coordinate any other ac-
19 tivities that the Commission determines, subject to
20 the approval of the First Flight Centennial Commis-
21 sion, the First Flight Centennial Foundation of
22 North Carolina, and the 2003 Committee of Ohio, to
23 be appropriate relating to the anniversary of the
24 centennial of powered flight, which may include the
25 preparation, distribution, dissemination, exhibition,

1 or sale of historical, commemorative, or informative
2 materials or objects, that will contribute to public
3 awareness of and interest in the centennial of pow-
4 ered flight.

5 (b) NONDUPLICATION OF ACTIVITIES.—The Com-
6 mission shall attempt to plan and conduct its activities
7 in such a manner that activities conducted pursuant to
8 this Act enhance, but do not duplicate, traditional and es-
9 tablished activities of Ohio’s 2003 Committee, North
10 Carolina’s First Flight Centennial Commission, and the
11 First Flight Centennial Foundation, except with the con-
12 sent of such entities.

13 **SEC. 6. POWERS.**

14 (a) ADVISORY COMMITTEES AND TASK FORCES.—

15 (1) IN GENERAL.—The Commission may ap-
16 point any advisory committee or task force that it
17 determines to be necessary to carry out this Act.

18 (2) FEDERAL COOPERATION.—To ensure the
19 overall success of the Commission’s efforts, the Com-
20 mission may call upon various Federal departments
21 and agencies to assist in and give support to pro-
22 grams of the Commission. Where appropriate, all
23 Federal departments and agencies shall provide any
24 assistance possible.

1 (3) PROHIBITION OF PAY OTHER THAN TRAVEL
2 EXPENSES.—Members of an advisory committee or
3 task force authorized by paragraph (1) shall not re-
4 ceive pay, but may receive travel expenses to the
5 same extent that members of the Commission may
6 receive travel expenses under section 4(e).

7 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
8 ber or agent of the Commission may, if authorized by the
9 Commission, take any action that the Commission is au-
10 thorized to take under this Act.

11 (c) AUTHORITY TO PROCURE AND TO MAKE LEGAL
12 AGREEMENTS.—

13 (1) IN GENERAL.—The Commission may pro-
14 cure supplies, services, and property, and make or
15 enter into leases and other legal agreements in order
16 to carry out this Act.

17 (2) RESTRICTION.—A contract, lease, or other
18 legal agreement made or entered into by the Com-
19 mission may not extend beyond the date of the ter-
20 mination of the Commission.

21 (3) SUPPLIES AND PROPERTY POSSESSED BY
22 COMMISSION AT TERMINATION.—Any supplies and
23 property, except historically significant items, that
24 are acquired by the Commission under this Act and
25 remain in the possession of the Commission on the

1 date of the termination of the Commission shall be-
2 come the property of the General Services Adminis-
3 tration upon the date of the termination.

4 (d) REQUESTS FOR OFFICIAL INFORMATION.—The
5 Commission may request from any Federal department or
6 agency information necessary to enable the Commission
7 to carry out this Act. The head of the Federal department
8 or agency shall furnish the information to the Commission
9 unless the release of the information by the department
10 or agency to the public is prohibited by law.

11 (e) MAILS.—The Commission may use the United
12 States mails in the same manner and under the same con-
13 ditions as any other Federal agency.

14 **SEC. 7. STAFF AND SUPPORT SERVICES.**

15 (a) EXECUTIVE DIRECTOR.—The chairperson of the
16 Commission, with the advice of the Commission, shall ap-
17 point an executive director of the Commission. The execu-
18 tive director may be paid at a rate not to exceed the maxi-
19 mum rate of basic pay payable for the Senior Executive
20 Service.

21 (b) STAFF.—The Commission may appoint and fix
22 the pay of any additional personnel that it considers ap-
23 propriate, except that an individual appointed under this
24 subsection may not receive pay in excess of the maximum

1 rate of basic pay payable for GS-14 of the General Sched-
2 ule.

3 (c) INAPPLICABILITY OF CERTAIN CIVIL SERVICE
4 LAWS.—The executive director and staff of the Commis-
5 sion may be appointed without regard to the provisions
6 of title 5, United States Code, governing appointments in
7 the competitive service, and may be paid without regard
8 to the provisions of chapter 51 and subchapter III of chap-
9 ter 53 of such title, relating to classification and General
10 Schedule pay rates, except as provided in subsections (a)
11 and (b) of this section.

12 (d) STAFF OF FEDERAL AGENCIES.—Upon request
13 by the chairperson of the Commission, the head of any
14 Federal department or agency may detail, on a non-
15 reimbursable basis, any of the personnel of the department
16 or agency to the Commission to assist the Commission to
17 carry out its duties under this Act.

18 (e) EXPERTS AND CONSULTANTS.—The chairperson
19 of the Commission may procure temporary and intermit-
20 tent services under section 3109(b) of title 5, United
21 States Code, at a rate that does not exceed the daily equiv-
22 alent of the annual rate of basic pay payable under level
23 V of the Executive Schedule under section 5316 of such
24 title.

1 (f) ADMINISTRATIVE SUPPORT SERVICES.—The Ad-
2 ministrator of General Services shall provide to the Com-
3 mission, on a reimbursable basis, any administrative sup-
4 port services that are necessary to enable the Commission
5 to carry out this Act.

6 **SEC. 8. CONTRIBUTIONS.**

7 (a) DONATIONS.—

8 (1) IN GENERAL.—The Commission may accept
9 donations of money, personal service, and historic
10 materials relating to the Wright brothers or the his-
11 tory of aviation.

12 (2) DONATED FUNDS AND SALES.—Any funds
13 donated to the Commission or revenues from direct
14 sales shall be used by the Commission to carry out
15 this Act. Funds donated to and accepted by the
16 Commission pursuant to this section shall not be
17 considered to be appropriated funds and shall not be
18 subject to any requirements or restrictions applicable
19 to appropriated funds.

20 (3) FUNDRAISING.—Any fundraising under-
21 taken by the Commission shall be done in coordina-
22 tion with fundraising undertaken at the State level,
23 and with the prior approval of the First Flight Cen-
24 tennial Commission, the First Flight Centennial

1 Foundation of North Carolina, and the 2003 Com-
2 mittee of Ohio.

3 (b) VOLUNTEER SERVICES.—Notwithstanding sec-
4 tion 1342 of title 31, United States Code, the Commission
5 may accept and use voluntary and uncompensated services
6 as the Commission determines necessary.

7 (c) REMAINING FUNDS.—Any donated funds remain-
8 ing to the Commission on the date of the termination of
9 the Commission may be used to ensure proper disposition,
10 as specified in the final report required by section 10(b),
11 of historically significant property which was donated to
12 or acquired by the Commission. Any donated funds re-
13 maining after such disposition shall be transferred to the
14 Secretary of the Treasury for deposit into the general fund
15 of the Treasury of the United States.

16 **SEC. 9. EXCLUSIVE RIGHT TO NAME, LOGOS, EMBLEMS,**
17 **SEALS, AND MARKS.**

18 (a) IN GENERAL.—The Commission may devise any
19 logo, emblem, seal, or descriptive or designating mark that
20 is required to carry out its duties or that it determines
21 is appropriate for use in connection with the commemora-
22 tion of the centennial of powered flight.

23 (b) LICENSING.—The Commission shall have the sole
24 and exclusive right to use, or to allow or refuse the use
25 of, the name “Centennial of Flight Commission” on any

1 logo, emblem, seal, or descriptive or designating mark that
2 the Commission lawfully adopts.

3 (1) Licensing royalties shall be used first to off-
4 set operating costs of the Commission.

5 (2) Any royalties remaining above and beyond
6 the operating costs of the Commission shall be dis-
7 tributed equally to the First Flight Centennial
8 Foundation of North Carolina and the 2003 Com-
9 mittee of Ohio to offset costs associated with the
10 celebration of the centennial of powered flight.

11 (c) EFFECT ON OTHER RIGHTS.—No provision of
12 this section may be construed to conflict or interfere with
13 established or vested rights.

14 **SEC. 10. REPORTS.**

15 (a) ANNUAL REPORT.—In each fiscal year in which
16 the Commission is in existence, the Commission shall pre-
17 pare and submit to the Congress a report describing the
18 activities of the Commission during the fiscal year. Each
19 annual report should also include—

20 (1) recommendations regarding appropriate ac-
21 tivities to commemorate the centennial of powered
22 flight, including—

23 (A) the production, publication, and dis-
24 tribution of books, pamphlets, films, and other
25 educational materials;

1 (B) bibliographical and documentary
2 projects and publications;

3 (C) conferences, convocations, lectures,
4 seminars, and other similar programs;

5 (D) the development of exhibits for librar-
6 ies, museums, and other appropriate institu-
7 tions;

8 (E) ceremonies and celebrations commemo-
9 rating specific events that relate to the history
10 of aviation;

11 (F) programs focusing on the history of
12 aviation and its benefits to the United States
13 and humankind; and

14 (G) competitions, commissions, and awards
15 regarding historical, scholarly, artistic, literary,
16 musical, and other works, programs, and
17 projects related to the centennial of powered
18 flight;

19 (2) recommendations to appropriate agencies or
20 advisory bodies regarding the issuance of commemo-
21 rative coins, medals, and stamps by the United
22 States relating to aviation or the centennial of pow-
23 ered flight;

24 (3) recommendations for any legislation or ad-
25 ministrative action that the Commission determines

1 to be appropriate regarding the commemoration of
2 the centennial of powered flight; and

3 (4) an accounting of funds received and ex-
4 pended by the Commission in the fiscal year that the
5 report concerns, including a detailed description of
6 the source and amount of any funds donated to the
7 Commission in the fiscal year.

8 (b) FINAL REPORT.—Not later than June 30, 2004,
9 the Commission shall submit to the President and the
10 Congress a final report. The final report shall contain—

11 (1) a summary of the activities of the Commis-
12 sion;

13 (2) a final accounting of funds received and ex-
14 pended by the Commission;

15 (3) any findings and conclusions of the Com-
16 mission; and

17 (4) specific recommendations concerning the
18 final disposition of any historically significant items
19 acquired by the Commission, including items do-
20 nated to the Commission under section 8(a)(1).

21 **SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.**

22 (a) IN GENERAL.—The Inspector General of the Gen-
23 eral Services Administration shall audit the financial
24 transactions of the Commission, including financial trans-
25 actions involving donated funds, in accordance with gen-

1 erally accepted auditing standards. In conducting an audit
2 pursuant to this section, the Inspector General shall have
3 access to all books, accounts, financial records, reports,
4 files, and other papers, items, or property in use by the
5 Commission, as necessary to facilitate the audit, and shall
6 be afforded full facilities for verifying the financial trans-
7 actions of the Commission, including access to any finan-
8 cial records or securities held for the Commission by de-
9 positories, fiscal agents, or custodians.

10 (b) REPORT.—Not later than September 30, 2004,
11 the Inspector General of the General Services Administra-
12 tion shall submit to the President and to the Congress
13 a report detailing the results of any audit of the financial
14 transactions of the Commission conducted by the Inspec-
15 tor General.

16 **SEC. 12. DEFINITIONS.**

17 For purposes of this Act:

18 (1) The term “Commission” means the Centen-
19 nial of Flight Commission.

20 (2) The term “First Flight” means the first
21 four successful manned, free, controlled, and sus-
22 tained flights by a power-driven, heavier-than-air
23 machine, which were accomplished by Orville and
24 Wilbur Wright on December 17, 1903.

1 (3) The term “centennial of powered flight”
2 means the anniversary year, from December 2002 to
3 December 2003, commemorating the 100-year his-
4 tory of aviation beginning with the First Flight and
5 highlighting the achievements of the Wright brothers
6 in developing the technologies which have led to the
7 development of aviation as it is known today.

8 **SEC. 13. TERMINATION.**

9 The Commission shall terminate not later than 60
10 days after the submission of the final report required by
11 section 10(b).

12 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

13 There is authorized to be appropriated to carry out
14 this Act \$250,000 for each of the fiscal years 1998
15 through 2004.

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