

110TH CONGRESS
1ST SESSION

H. R. 2094

To provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2007

Mr. MOORE of Kansas (for himself, Mr. MORAN of Kansas, Mr. THORNBERRY, Mr. BOSWELL, Mr. TIAHRT, and Mrs. BOYDA of Kansas) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission, 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. DWIGHT D. EISENHOWER MEMORIAL COMMIS-**
4 **SION.**

5 Section 8162 of the Department of Defense Appro-
6 priations Act, 2000 (Public Law 106–79; 113 Stat. 1274)
7 is amended—

8 (1) by striking subsection (j), and inserting the
9 following:

1 “(j) POWERS OF THE COMMISSION.—

2 “(1) IN GENERAL.—

3 “(A) POWERS.—The Commission may—

4 “(i) make such expenditures for serv-
5 ices and materials for the purpose of car-
6 rying out this section as the Commission
7 considers advisable from funds appro-
8 priated or received as gifts for that pur-
9 pose;

10 “(ii) solicit and accept contributions
11 to be used in carrying out this section or
12 to be used in connection with the construc-
13 tion or other expenses of the memorial;

14 “(iii) hold hearings and enter into
15 contracts;

16 “(iv) enter into contracts for special-
17 ized or professional services as necessary
18 to carry out this section; and

19 “(v) take such actions as are nec-
20 essary to carry out this section.

21 “(B) SPECIALIZED OR PROFESSIONAL
22 SERVICES.—Services under subparagraph
23 (A)(iv) may be—

1 “(i) obtained without regard to the
2 provisions of title 5, United States Code,
3 including section 3109 of that title; and

4 “(ii) may be paid without regard to
5 the provisions of title 5, United States
6 Code, including chapter 51 and subchapter
7 III of chapter 53 of that title;

8 “(2) GIFTS OF PROPERTY.—The Commission
9 may accept, use, and dispose of gifts, bequests, or
10 devises of services or property, both real and per-
11 sonal, for the purpose of aiding or facilitating the
12 work of the Commission. Gifts, bequests, or devises
13 of money and proceeds from the sales of other prop-
14 erty received as gifts, bequests, or devises shall be
15 deposited in the Treasury and shall be available for
16 disbursement upon the order of the Chair. For pur-
17 poses of Federal income, estate, and gift taxes, prop-
18 erty accepted under this subsection shall be consid-
19 ered as a gift, bequest, or devise to the United
20 States.

21 “(3) FEDERAL COOPERATION.—To ensure the
22 overall success of the efforts of the Commission, the
23 Commission may call upon any Federal department
24 or agency to assist in and give support to the Com-
25 mission. The head of each Federal department or

1 agency shall furnish such information or assistance
2 requested by the Commission, as appropriate, unless
3 prohibited by law.

4 “(4) POWERS OF MEMBERS AND AGENTS.—

5 “(A) IN GENERAL.—If authorized by the
6 Commission, any member or agent of the Com-
7 mission may take any action that the Commis-
8 sion is authorized to take under this section.

9 “(B) ARCHITECT.—The Commission may
10 appoint an architect as an agent of the Com-
11 mission to—

12 “(i) represent the Commission on var-
13 ious governmental source selection and
14 planning boards on the selection of the
15 firms that will design and construct the
16 memorial; and

17 “(ii) perform other duties as des-
18 ignated by the Chairperson of the Commis-
19 sion.

20 “(C) TREATMENT.—An authorized mem-
21 ber or agent of the Commission (including an
22 individual appointed under subparagraph (B))
23 providing services to the Commission shall be
24 considered an employee of the Federal Govern-
25 ment in the performance of those services for

1 the purposes of chapter 171 of title 28, United
2 States Code, relating to tort claims.

3 “(5) TRAVEL.—Each member of the Commis-
4 sion shall be allowed travel expenses, including per
5 diem in lieu of subsistence, at rates authorized for
6 employees of agencies under subchapter I of chapter
7 57 of title 5, United States Code, while away from
8 their homes or regular places of business in the per-
9 formance of services for the Commission.”;

10 (2) by redesignating subsection (o) as sub-
11 section (q); and

12 (3) by inserting after subsection (n) the fol-
13 lowing new subsection (o):

14 “(o) STAFF AND SUPPORT SERVICES.—

15 “(1) EXECUTIVE DIRECTOR.—There shall be an
16 Executive Director appointed by the Commission to
17 be paid at a rate not to exceed the maximum rate
18 of basic pay for level IV of the Executive Schedule.

19 “(2) STAFF.—

20 “(A) IN GENERAL.—The staff of the Com-
21 mission may be appointed and terminated with-
22 out regard to the provisions of title 5, United
23 States Code, governing appointments in the
24 competitive service, and may be paid without
25 regard to the provisions of chapter 51 and sub-

1 chapter III of chapter 53 of that title, relating
2 to classification and General Schedule pay
3 rates, except that an individual appointed under
4 this paragraph may not receive pay in excess of
5 the maximum rate of basic pay for GS-15 of
6 the General Schedule.

7 “(B) SENIOR STAFF.—Notwithstanding
8 subparagraph (A), not more than 3 staff em-
9 ployees of the Commission (in addition to the
10 Executive Director) may be paid at a rate not
11 to exceed the maximum rate of basic pay for
12 level IV of the Executive Schedule.

13 “(3) STAFF OF FEDERAL AGENCIES.—Upon re-
14 quest by the Chairperson of the Commission, the
15 Vice-Chairperson, or the Executive Director, the
16 head of any Federal department or agency may de-
17 tail, on a nonreimbursable basis, any of the per-
18 sonnel of the department or agency to the Commis-
19 sion to assist the Commission to carry out its duties
20 under this section.

21 “(4) FEDERAL SUPPORT.—The Commission
22 shall obtain administrative and support services
23 from the General Services Administration on a reim-
24 bursable basis. The Commission may use all con-
25 tracts, schedules, and acquisition vehicles allowed to

1 external clients through the General Services Admin-
2 istration.

3 “(5) COOPERATIVE AGREEMENTS.—The Com-
4 mission may enter into cooperative agreements with
5 Federal agencies, State, local, tribal and inter-
6 national governments, and private interests and or-
7 ganizations which will further the goals and pur-
8 poses of this section.

9 “(6) TEMPORARY, INTERMITTENT, AND PART-
10 TIME SERVICES.—

11 “(A) IN GENERAL.—The Commission may
12 obtain temporary, intermittent, and part-time
13 services under section 3109 of title 5, United
14 States Code, at rates not to exceed the max-
15 imum annual rate of basic pay payable under
16 section 5376 of that title.

17 “(B) NON-APPLICABILITY TO CERTAIN
18 SERVICES.—This paragraph shall not apply to
19 services under subsection (j)(1)(A)(iv).

20 “(7) VOLUNTEER SERVICES.—

21 “(A) IN GENERAL.—Notwithstanding sec-
22 tion 1342 of title 31, United States Code, the
23 Commission may accept and utilize the services
24 of volunteers serving without compensation.

1 “(B) REIMBURSEMENT.—The Commission
2 may reimburse such volunteers for local travel
3 and office supplies, and for other travel ex-
4 penses, including per diem in lieu of subsist-
5 ence, as authorized by section 5703 of title 5,
6 United States Code.

7 “(C) TREATMENT.—A person providing
8 volunteer services to the Commission shall be
9 considered an employee of the Federal govern-
10 ment in the performance of those services for
11 the purposes of—

12 “(i) chapter 81 of title 5, United
13 States Code, relating to compensation for
14 work-related injuries;

15 “(ii) chapter 171 of title 28, United
16 States Code, relating to tort claims; and

17 “(iii) chapter 11 of title 18, United
18 States Code, relating to conflicts of inter-
19 est.

20 “(p) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated such sums as necessary
22 to carry out this section.”.

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