

Public Law 107-202  
107th Congress

An Act

To establish the Benjamin Franklin Tercentenary Commission.

July 24, 2002

[H.R. 2362]

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

Benjamin  
Franklin  
Tercentenary  
Commission Act.  
36 USC note  
prec. 101.

**SECTION 1. SHORT TITLE.**

This Act may be referred to as the “Benjamin Franklin Tercentenary Commission Act”.

36 USC note  
prec. 101.

**SEC. 2. FINDINGS.**

The Congress finds as follows:

(1) Benjamin Franklin was one of the most extraordinary men of the generation that founded the United States. Around the world, he remains one of the best-known Americans who has ever lived.

(2) Benjamin Franklin’s achievements include his literary work, his creation of philanthropic and educational institutions, his significant scientific explorations, and his service to the Nation as a statesman and diplomat.

(3) Benjamin Franklin was the only American to sign all 5 enabling documents of the United States.

(4) All people in the United States could benefit from studying the life of Benjamin Franklin and gaining a deeper appreciation of his legacy to the Nation.

(5) January 17, 2006, is the 300th anniversary of the birth of Benjamin Franklin, and a commission should be established to study and recommend to the Congress activities that are fitting and proper to celebrate that anniversary in a manner that appropriately honors Benjamin Franklin.

**SEC. 3. ESTABLISHMENT.**

There is established a commission to be known as the Benjamin Franklin Tercentenary Commission (referred to in this Act as the “Commission”).

36 USC note  
prec. 101.

**SEC. 4. DUTIES.**

(a) **STUDY.**—The Commission shall have the following duties:

(1) To study activities by the Government that would be fitting and proper to honor Benjamin Franklin on the occasion of the tercentenary of his birth, including but not limited to the following:

(A) The minting of a Benjamin Franklin tercentenary coin.

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prec. 101.

(B) The rededication of the Benjamin Franklin National Memorial at the Franklin Institute in Philadelphia, Pennsylvania, or other activities with respect to that memorial.

(C) The acquisition and preservation of artifacts associated with Benjamin Franklin.

(D) The sponsorship of publications, including catalogs and scholarly work, concerning Benjamin Franklin.

(E) The sponsorship of conferences, exhibitions, or other public meetings concerning Benjamin Franklin.

(F) The sponsorship of high school and collegiate essay contests concerning the life and legacy of Benjamin Franklin.

(2) To recommend to the Congress in one or more of the interim reports submitted under section 9(a)—

(A) the activities that the Commission considers most fitting and proper to honor Benjamin Franklin on the occasion of the tercentenary of his birth; and

(B) the entity or entities in the Federal Government that the Commission considers most appropriate to carry out such activities.

(b) POINT OF CONTACT.—The Commission, acting through its secretariat, shall serve as the point of contact of the Government for all State, local, international, and private sector initiatives regarding the tercentenary of Benjamin Franklin's birth, with the purpose of coordinating and facilitating all fitting and proper activities honoring Benjamin Franklin.

36 USC note  
prec. 101.

#### SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 15 members as follows:

(1) The Librarian of Congress.

(2) Fourteen qualified citizens, appointed as follows:

(A) Two members appointed by the President.

(B) Two members appointed by the President on the recommendation of the Governor of the Commonwealth of Pennsylvania.

(C) Two members appointed by the President on the recommendation of the Governor of the Commonwealth of Massachusetts.

(D) Two members, at least one of whom shall be a Senator, appointed by the majority leader of the Senate.

(E) Two members, at least one of whom shall be a Senator, appointed by the minority leader of the Senate.

(F) Two members, at least one of whom shall be a Member of the House of Representatives, appointed by the Speaker of the House of Representatives.

(G) Two members, at least one of whom shall be a Member of the House of Representatives, appointed by the minority leader of the House of Representatives.

(b) QUALIFIED CITIZEN.—For purposes of this section, a qualified citizen is a citizen of the United States with—

(1) a substantial knowledge and appreciation of the work and legacy of Benjamin Franklin; and

(2) a commitment to educating people in the United States about the historical importance of Benjamin Franklin.

President.  
Congress.

(c) **TIME OF APPOINTMENT.**—Each initial appointment of a member of the Commission shall be made before the expiration of the 120-day period beginning on the date of the enactment of this Act.

(d) **CONTINUATION OF MEMBERSHIP.**—If a member of the Commission was appointed to the Commission as a Member of the Congress, and ceases to be a Member of the Congress, that member may continue to serve on the Commission for not longer than the 30-day period beginning on the date on which that member ceases to be a Member of the Congress.

(e) **TERMS.**—Each member shall be appointed for the life of the Commission.

(f) **VACANCIES.**—A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the manner in which the original appointment was made.

(g) **BASIC PAY.**—Members shall serve on the Commission without pay.

(h) **TRAVEL EXPENSES.**—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(i) **QUORUM.**—Five members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(j) **CHAIR.**—The Commission shall select a Chair from among the members of the Commission.

(k) **MEETINGS.**—The Commission shall meet at the call of the Chair.

#### SEC. 6. ORGANIZATION.

(a) **HONORARY MEMBERS.**—The President—

(1) shall serve as an honorary, nonvoting member of the Commission; and

(2) may invite the President of France and the Prime Minister of the United Kingdom to serve as honorary, nonvoting members of the Commission.

(b) **ADVISORY COMMITTEE.**—The Commission shall form an advisory committee, to be composed of representatives of the major extant institutions founded by or dedicated to Benjamin Franklin, including the following:

(1) The Executive Director of the American Philosophical Society.

(2) The President of the Franklin Institute.

(3) The Librarian of the Library Company.

(4) The Director and Chief Executive Officer of the Philadelphia Museum of Art.

(5) The President of the University of Pennsylvania.

(c) **ADMINISTRATIVE SECRETARIAT.**—The Commission shall seek to enter into an arrangement with the Franklin Institute of Philadelphia, Pennsylvania, under which the Institute shall do the following:

(1) Serve as the secretariat of the Commission, including by serving as the point of contact under section 4(b).

(2) House the administrative offices of the Commission.

#### SEC. 7. POWERS.

(a) **HEARINGS AND SESSIONS.**—The Commission may, for the purpose of carrying out this Act, hold such hearings, sit and act

36 USC note  
prec. 101.  
President.

Establishment.

Contracts.

36 USC note  
prec. 101.

at such times and places, take such testimony, and receive such evidence as the Commission considers appropriate.

(b) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take by this Act.

(c) **OBTAINING OFFICIAL DATA.**—The Commission may secure directly from any department or agency of the United States information necessary to enable the Commission to carry out this Act. Upon request of the Chair of the Commission, the head of that department or agency shall furnish that information to the Commission.

(d) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

(f) **PROCUREMENT.**—The Commission may enter into contracts for supplies, services, and facilities to carry out the Commission's duties under this Act.

(g) **DONATIONS.**—The Commission may accept and use donations of—

- (1) money;
- (2) personal services; and
- (3) real or personal property related to Benjamin Franklin or the occasion of the tercentenary of his birth.

36 USC note  
prec. 101.

#### **SEC. 8. DIRECTOR AND STAFF.**

(a) **APPOINTMENT.**—The Commission may appoint a Director and such additional personnel as the Commission considers to be appropriate.

(b) **APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.**—The Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

36 USC note  
prec. 101.

#### **SEC. 9. REPORTS.**

(a) **INTERIM REPORTS.**—The Commission shall submit to the Congress such interim reports as the Commission considers to be appropriate.

Deadline.

(b) **FINAL REPORT.**—The Commission shall submit a final report to the Congress not later than January 16, 2007. The final report shall contain—

- (1) a detailed statement of the activities of the Commission;
- and
- (2) any other information that the Commission considers to be appropriate.

36 USC note  
prec. 101.

#### **SEC. 10. TERMINATION.**

The Commission shall terminate 120 days after submitting its final report pursuant to section 9(b).

**SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**36 USC note  
prec. 101.

There are authorized to be appropriated \$500,000 for the period of fiscal years 2002 through 2007 to carry out this Act, to remain available until expended.

Approved July 24, 2002.

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**LEGISLATIVE HISTORY—H.R. 2362:****CONGRESSIONAL RECORD:**

Vol. 147 (2001): Oct. 30, considered and passed House.

Vol. 148 (2002): July 9, considered and passed Senate.