

Public Law 98-375
98th Congress

An Act

To establish the Christopher Columbus Quincentenary Jubilee Commission.

Aug. 7, 1984
[H.R. 1492]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Christopher Columbus Quincentenary Jubilee Act".

Christopher
Columbus
Quincentenary
Jubilee Act.

FINDINGS AND DECLARATIONS

SEC. 2. The Congress finds and declares that—

- (1) October 12, 1992, marks the five hundredth anniversary of the voyages of discovery of Christopher Columbus;
- (2) the governments and people of Spain and Italy should be recognized and commended for their historic role and contribution to those voyages;
- (3) all persons in this country should look with pride on the achievements and contributions of their ancestors with respect to those historic voyages; and
- (4) as the Nation approaches the quincentennial of the voyages of discovery of Christopher Columbus, it is appropriate to celebrate and commemorate this anniversary through local, national, and international observances and activities planned, encouraged, coordinated, and conducted by a national commission representative of appropriate individuals and public and private authorities and organizations.

ESTABLISHMENT; COMPOSITION

SEC. 3. (a) There is established a commission to be known as the Christopher Columbus Quincentenary Jubilee Commission (hereinafter in this Act referred to as the "Commission") to plan, encourage, coordinate, and conduct the commemoration of the voyages of discovery of Christopher Columbus.

(b) The Commission shall be composed of thirty members as follows:

- (1) seven members appointed by the President upon the recommendation of the majority leader of the Senate in consultation with the minority leader of the Senate;
- (2) seven members appointed by the President upon the recommendation of the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives;
- (3) ten members appointed by the President, which members shall be broadly representative of the people of the United States, and not otherwise officers or employees of the United States;
- (4) the Secretary of State;
- (5) the Archivist of the United States;
- (6) the Librarian of Congress;
- (7) the Chairman of the National Endowment for the Arts;

(8) the Chairman of the National Endowment for the Humanities; and

(9) the Secretary of Commerce.

(c) The President is hereby authorized and requested to invite the governments of Spain and Italy each to appoint, within ninety days after the date of the enactment of this Act, one individual to serve as a nonvoting participant in the activities of the Commission.

(d) The Secretary of State shall call the first meeting for the purpose of electing a Chairman and Vice Chairman, both of whom shall be from among the members of the Commission appointed under subsection (b)(3). The Commission may appoint honorary members, and may establish an Advisory Council to assist the Commission in its work.

(e) Appointments under subsection (b) shall be made within ninety days after the date of the enactment of this Act. Vacancies shall be filled in the same manner in which the original appointments were made.

DUTIES

SEC. 4. (a) It shall be the duty of the Commission to prepare a comprehensive program for commemorating the quincentennial of the voyages of discovery of Christopher Columbus, and to plan, encourage, coordinate, and conduct observances and activities commemorating the historic events associated with those voyages. In carrying out this subsection, the Commission shall particularly examine the historic role of the government and people of Spain in order to promote a greater public awareness, understanding, and appreciation of the contributions made by Spain with respect to those voyages.

Spain.

(b) Within two years after the date of the first meeting called pursuant to section 3(d) of this Act, the Commission shall submit to Congress a comprehensive report incorporating its recommendations for the commemoration of the quincentennial of the voyages of discovery of Christopher Columbus. The report required by this subsection shall include—

Report.

(1) recommendations for appropriate activities for the commemoration, including—

(A) the production, publication, and distribution of books, pamphlets, films, and other educational materials focusing on the history, culture, and political thought of the lands Christopher Columbus traveled from and to during the voyages of discovery;

(B) bibliographical and documentary projects and publications;

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

(D) the development of libraries, museums, and exhibits, including mobile exhibits;

(E) ceremonies and celebrations commemorating specific events;

(F) programs focusing on the international significance of the voyages of discovery of Christopher Columbus; and

(G) the design, inscriptions, and other specifications relating to the issuance of commemorative coins, medals, and stamps, by the United States;

(2) recommendations for the allocation of financial and administrative responsibility among the public agencies and private organizations recommended for participation by the Commission; and

(3) recommendations for such legislation and administrative actions as the Commission deems necessary to carry out the commemoration of the voyages of discovery.

The President shall transmit the Commission's report to the Congress together with such comments and additional recommendations for legislation and administrative actions as the President deems appropriate.

President of U.S.

(c) The Commission shall prepare and submit to the Congress an annual report on the activities of the Commission, including an accounting of funds received and expended.

Report.

(d) In preparing its plans and programs, the Commission shall consider any related plans and programs developed by State and local, and foreign governments, and private groups, including the 1992 World's Fair to be held in Chicago, Illinois, and in Seville, Spain. The Commission shall endeavor to plan and conduct its activities in such manner as to ensure that activities conducted pursuant to this Act do not duplicate activities of the 1992 World's Fair, which the Commission recognizes to be a major highlight of the quincentenary celebration.

1992 World's
Fair.

(e) The Commission may designate special committees and invite representatives from such public agencies and private organizations to assist the Commission in carrying out this section as the Commission deems appropriate.

ADDITIONAL FUNCTIONS

SEC. 5. In carrying out the purposes of this Act, the Commission is authorized to provide for—

(1) the preparation, distribution, dissemination, exhibition, and sale of historical, commemorative, and informational materials and objects which will contribute to public awareness of, and interest in, the quincentennial, except that any commemorative coins, medals, or stamps issued by the United States shall be sold only by an agency of the United States;

(2) competitions, commissions, and awards for historical, scholarly, artistic, literary, musical, and other works, programs, and projects relating to the quincentennial; and

(3) a quincentennial calendar or register of programs and projects, and in other ways provide a central clearinghouse for information and coordination regarding dates, events, places, documents, artifacts, and personalities of quincentennial historical and commemorative significance.

COORDINATION OF EFFORTS

SEC. 6. (a) In carrying out the purposes of this Act, the Commission shall consult, cooperate with, and seek advice and assistance from appropriate Federal departments and agencies, State and local public bodies, foreign governments, learned societies, and historical, patriotic, philanthropic, civic, professional, and related organizations. Such Federal departments and agencies are authorized and requested to cooperate with the Commission in planning, encourag-

ing, coordinating, and conducting appropriate commemorative activities.

Study.

(b) The Secretary of State shall undertake a study of appropriate cooperative actions which might be taken with foreign governments to preserve and develop historic sites related to the voyages of discovery of Christopher Columbus, at such time and in such manner as will ensure that fitting observances and exhibits may be held at each such site during the commemoration. (In particular, the Secretary may consult with the governments of the nations of the Western Hemisphere which share the Columbian heritage and with the governments of Spain and Italy with respect to joint participation in events in the United States and in such nations.) The Secretary shall submit the results of the study to the Commission, together with his recommendations, affording the Commission an opportunity to review the study, and to incorporate such of its findings and recommendations as the Commission may deem appropriate in the report required by section 4 of this Act.

(c) The Chairman of the National Endowment for the Arts, and the Chairman of the National Endowment for the Humanities shall cooperate with the Commission, especially in the encouragement and coordination of scholarly works and presentations focusing on the history, culture, and political thought of the period surrounding the voyages of discovery.

(d) The Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States shall cooperate with the Commission, especially in the development and display of exhibits and collections, and in the development and distribution of bibliographies, catalogs, and other materials relevant to the period.

1992 World's
Fair.

(e) Nothing in this Act shall be construed to restrict, abridge, or otherwise limit the planning, development, conduct, operations, or activities of the 1992 World's Fair to be held in Chicago, Illinois, and in Seville, Spain, nor shall any provision of this Act be construed to vest in the Commission any right or responsibility to regulate or otherwise oversee the planning, development, conduct, operations, or activities of such Fair.

DONATIONS

SEC. 7. (a) The Commission may accept donations of money, property, or personal services, except that the Commission may not accept donations—

(1) the aggregate value of which exceeds \$25,000, in the case of donations from an individual; or

(2) the aggregate of which exceeds \$50,000, in the case of donations from a foreign government, a corporation, a partnership, or any other person.

(b) All books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials relating to the period and donated to the Commission may be deposited for preservation in national, State, or local libraries or museums or be otherwise disposed of by the Commission after consultation with the Librarian of Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, or the Administrator of General Services, as the case may be.

ADMINISTRATION

SEC. 8. (a)(1) The Chairman, with the advice of the Commission, shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, a Director who may be compensated at a rate not to exceed the rate of basic pay payable for level IV of the Executive Schedule established under section 5315 of such title and a Deputy Director who may be compensated at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule established under section 5316 of such title. Such officers shall serve at the pleasure of the Chairman.

(2) The Commission shall delegate such powers and duties to the Director as may be necessary for the efficient operation and management of the Commission.

(b) Subject to such rules and regulations as may be adopted by the Commission, the Commission may—

(1) appoint and fix the compensation of such additional personnel, not to exceed twenty staff members, as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at such rates not in excess of the maximum rate for grade GS-18 of the General Schedule under section 5332 of such title;

5 USC 5101 et
seq., 5331.

(2) appoint such advisory committees as it deems necessary;

(3) procure supplies, services, and property; make contracts; expend in furtherance of this Act funds appropriated, donated, or received in pursuance of contracts hereunder;

Contracts with
U.S.

(4) enter into agreements with the General Services Administration for procurement of necessary financial and administrative services, for which payment shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman and the Administrator of the General Services Administration; and

Contracts with
U.S.

(5) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

(c)(1) Upon request of the Commission, the head of any Federal agency may detail any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties under this Act. Details under this subsection shall be without reimbursement by the Commission to the agency from which the employee concerned was detailed.

(2) The Commission may accept the services of not to exceed twenty employees under this subsection at any time.

COMPENSATION

SEC. 9. (a) Members of the Commission appointed under section 3(b) of this Act shall serve without compensation, but may be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

(b) Persons appointed, designated, or invited to assist the Commission under section 3(c), the second sentence of section 3(d), section 4(e), or section 8(b)(2) of this Act shall serve without compensation,

and shall not be entitled to reimbursement for travel, subsistence, or other expenses incurred by them in the performance of their duties.

PENALTY

Logos, symbols, or marks. Regulations.

SEC. 10. (a) The Commission shall prescribe rules and regulations regarding the use of any logos, symbols, or marks originated under authority of and certified by the Commission for use in connection with the commemoration of the quinquennial, or any facsimile thereof. Under the rules and regulations, the Commission may not sell, lease, or otherwise grant to any person the right to use any such logo, symbol, or mark in connection with the production or manufacture of any commercial goods, as part of an advertisement promoting any commercial goods or services, or as part of an endorsement for any such goods or services.

Federal Register, publication.

(b) Any person who, except as authorized under rules and regulations issued by the Commission, knowingly manufactures, reproduces, or uses any such logos, symbols, or marks, or any facsimile thereof, or in such a manner as suggests any such logos, symbols, or marks, shall be fined not more than \$10,000, or imprisoned not more than one year, or both. This section shall only apply in the case of such logos, symbols, and marks for which the Commission has published in the Federal Register a notification of certification.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 11. (a) There are authorized to be appropriated to carry out the provisions of this Act, \$220,000 per fiscal year for each of the fiscal years beginning after September 30, 1983, and ending before October 1, 1992; and \$20,000 for the period beginning on October 1, 1992, and ending on November 15, 1992.

(b) Amounts appropriated under this section for any fiscal year shall remain available until November 15, 1992.

(c) The total appropriations authorized under this or any other Act for the purposes of this Act shall not exceed \$2,000,000.

TERMINATION

Report.

SEC. 12. (a) A final report shall be made to the Congress no later than November 15, 1992, upon which date the Commission shall terminate.

COMMISSION

Sec. 9. (a) Members of the Commission appointed under section 3(a) of this Act shall serve without compensation but may be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties. (b) Persons appointed, designated, or invited to assist the Commission under section 3(c) of this Act shall serve without compensation.

(b) Any property acquired by the Commission remaining upon its termination may be used by the Secretary of the Interior for purposes of the National Park Service, or may be disposed of in accordance with the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

Approved August 7, 1984.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Insider Trading Statute of 1984".

Section 21 of the Securities Exchange Act of 1934 is amended by redesignating subsection (b) as subsection (d)(1), and adding at the end thereof the following new paragraph:

"(2)(A) Whenever it shall appear to the Commission that any person has violated any provision of this title or the rules or regulations thereunder by purchasing or selling a security while in possession of material nonpublic information in a transaction (i) on or through the facilities of a national securities exchange or from or through a broker or dealer, and (ii) which is not part of a public offering of securities other than standardized options, the Commission may bring an action in a United States district court to seek, and the court shall have jurisdiction to impose, a civil penalty to be paid by such person, or any person aiding and abetting the violation of such person. The amount of such penalty shall be determined by the court in light of the facts and circumstances, but shall not exceed three times the profit gained or loss avoided as a result of such unlawful purchase or sale, and shall be payable into the Treasury of the United States. If a person upon whom such a penalty is imposed shall fail to pay such penalty within the time prescribed in the court's order, the Commission shall refer the matter to the Attorney General who shall recover such penalty by suit in the appropriate United States district court. The actions authorized by this paragraph may be brought in addition to any other actions that the Commission or the Attorney General are entitled to bring. For purposes of section 22 of this title, actions under this paragraph shall be actions to enforce a liability or a duty created by this title. The Commission by rule or regulation may exempt from the provisions of this paragraph any class of persons or transactions.

(B) No person shall be subject to a sanction under subparagraph (A) of this paragraph solely because that person aided and abetted a transaction covered by such subparagraph in a manner other than by communicating material nonpublic information. Section 20(a) of this title shall not apply to an action brought under this paragraph. No person shall be liable under this paragraph solely by reason of aiding another person who is liable under this paragraph."

LEGISLATIVE HISTORY—H.R. 1492 (S. 500):

HOUSE REPORTS: No. 98-150 (Comm. on Post Office and Civil Service) and No. 98-876 (Comm. of Conference).

SENATE REPORT No. 98-194 accompanying S. 500 (Comm. on the Judiciary).

CONGRESSIONAL RECORD:
Vol. 129 (1983): June 21, considered and passed House.
Vol. 130 (1984): Feb. 1, considered and passed Senate, amended, in lieu of S. 500.
June 27, Senate agreed to conference report.
July 25, House agreed to conference report.