

**OVERSIGHT HEARING TO REVIEW THE ACTIVITIES  
OF FEDERAL HOLIDAY AND COMMEMORATIVE  
COMMISSIONS**

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**HEARING  
BEFORE THE  
SUBCOMMITTEE ON CENSUS, STATISTICS AND  
POSTAL PERSONNEL  
OF THE  
COMMITTEE ON  
POST OFFICE AND CIVIL SERVICE  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED THIRD CONGRESS**

**FIRST SESSION**

**MARCH 16, 1993**

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## OVERSIGHT HEARING TO REVIEW THE ACTIVITIES OF FEDERAL HOLIDAY AND COMMEMORATIVE COMMISSIONS

TUESDAY, MARCH 16, 1993

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON CENSUS, STATISTICS AND POSTAL  
PERSONNEL,  
COMMITTEE ON POST OFFICE AND CIVIL SERVICE,  
Washington, DC.

The subcommittee met, pursuant to call, at 11:05 a.m., in room 311, Cannon House Office Building, Hon. Thomas C. Sawyer (chairman of the subcommittee) presiding.

Members present: Representatives Sawyer and Petri.

Mr. SAWYER. Good morning. It is a pleasure to offer welcome to our oversight hearing this morning as we review Federal holiday and commemorative commissions.

As you know, the Subcommittee on Census, Statistics and Postal Personnel has jurisdiction over the commissions that coordinate celebrations for historic events and national holidays. It is our goal to hold annual oversight hearings to review the work of these congressionally established bodies.

This morning, we will hear first from Mrs. Coretta Scott King, Chair of the Martin Luther King, Jr. Federal Holiday Commission. During my tenure as chairman of this subcommittee, I have had the pleasure of serving on the Commission with Mrs. King.

I want to recognize Mrs. King and the Commission staff for their genuinely selfless and tireless efforts in institutionalizing the King holiday. When the Commission first began its work less than a decade ago, only 17 States observed the King holiday. I am pleased to say that, as of January 18 of this year, all 50 States observed Dr. King's birthday with a paid holiday. It has been a long time in coming, and it wouldn't have happened without those tireless efforts.

While the King Commission has successfully carried out its mandate through the years, there has been a lack of sufficient funds that has made that work difficult. The Commission received no Federal funding prior to 1990. Frankly, it has experienced difficulty in developing a sustained fund-raising program primarily due to a lot of competition from hundreds of other worthy causes and a shrinking pool of private funds to meet their needs.

1993 is a historic year for the Commission. It marks the 10th anniversary of the establishment, the 8th observance of the King holiday, the 25th anniversary of Dr. King's tragic assassination, the

30th anniversary of the March on Washington. We look forward to hearing about the exciting activities the Commission is planning throughout this important and historic year.

Next we will hear from Professor Henry Raymont who is representing the Christopher Columbus Quincentenary Jubilee Commission. Established in 1984, the Commission has worked to develop and coordinate activities that focus attention on the 500th anniversary of the Columbus maiden voyage to the West.

1993 is an important year for that Commission because it represents the last full fiscal year of its authorization. As many of you know, the Commission at one point suffered from poor management under its former chairman. This subcommittee did an extensive investigation of those activities and can report today that it has been operating in a fiscally responsible manner since that time.

While the celebratory year itself has passed, the Commission is pursuing a variety of important activities to complete its mission.

Finally, we will hear from GAO this morning. The subcommittee last year, in the wake of the activities that we had investigated, asked the GAO to review weaknesses in the structure and operations of such a Commission. I look forward to hearing their recommendations on how to improve operations in the future.

The Congress established the Thomas Jefferson Memorial Commission last year. It is the 250th anniversary of his birth, and the goal is to celebrate that anniversary through a variety of celebrations. Unfortunately, the Commission is not operational. Enacting legislation was completed around the time the Congress adjourned last year. It was also, I gather, at approximately the same time that we elected a new President, and, therefore, there has been difficulty in completing necessary appointments. I hope they can complete those appointments soon so that the Commission can go ahead and carry out its duties.

A personal word of welcome to the Honorable Coretta Scott King who chairs the King Federal Holiday Commission. We invite your testimony and ask you to identify your colleagues for the record. Good morning, Mrs. King.

Mrs. KING. Good morning, Chairman Sawyer and distinguished members of the subcommittee.

Mr. SAWYER. Let me turn for a moment to my colleague, Mr. Petri.

Mr. PETRI. I don't have a prepared statement. I would like to join the Chairman in welcoming you this morning and to congratulate you for successfully realizing the goal of having this important holiday celebrated in all 50 States. It wasn't a smooth path throughout, but it was accomplished, and you are to be congratulated.

Mrs. KING. Thank you.

**STATEMENTS OF HONORABLE CORETTA SCOTT KING, CHAIRPERSON, MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION, ACCOMPANIED BY LLOYD DAVIS, EXECUTIVE DIRECTOR, WILLIAM DARNELL, COMMISSIONER AND CHAIRMAN, PUBLIC RELATIONS COMMITTEE, AND DONALD ALEXANDER, COUNSEL; HONORABLE HENRY RAYMONT, COMMISSIONER, CHRISTOPHER COLUMBUS QUINCENTENARY JUBILEE COMMISSION, ACCOMPANIED BY JAMES KUHN, EXECUTIVE DIRECTOR; AND NANCY R. KINGSBURY, DIRECTOR, FEDERAL HUMAN RESOURCE MANAGEMENT ISSUES, U.S. GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY LINDA ELMORE, SENIOR EVALUATOR**

Mr. SAWYER. Mrs. King.

Mrs. KING. Chairman Sawyer and distinguished members of the subcommittee, I welcome this opportunity to appear before you and report on the continuing work of the Martin Luther King, Jr. Federal Holiday Commission.

I have prepared a detailed summary of the work of the Commission which I am submitting with my testimony. I am also submitting a copy of our 1992 annual report on the observance of the King holiday which will illustrate the successes achieved by the Commission. This information will also highlight some of the important challenges which remain to be addressed in our efforts to make the King holiday all it should be.

Established by Congress in 1984 at the urging of the Board of Directors, the MLK, Jr. Federal Holiday Commission has worked tirelessly to institutionalize the King Federal holiday and coordinate holiday activities across the Nation as well as in many other countries.

When the Commission began its work, only 17 States observed the holiday. This past January 18, all 50 States did. Voters in Arizona went to the polls November 3rd, and, as a result, Arizona became the first State to establish a King paid holiday by popular vote, and New Hampshire's newly elected governor established the holiday by executive order.

The King Federal Holiday Commission has provided guidance to a vast network of local and State King holiday commissions, committees and organizations, responded to thousands of inquiries and distributed hundreds of thousands of pieces of literature. It has done an extraordinary job of bringing Dr. King's nonviolent teachings and philosophy to youth and adults. We have assembled 10,000 news clippings on the 1993 observance as a testimony to the impact of the holiday on every American community.

Under the careful guidance of the King Federal Holiday Commission, the King holiday has become one of the most powerful tools for fulfilling Dr. King's dream. The Commission has moved to fashion the holiday into a world class celebration of human inclusiveness and a time for people to focus on the values of tolerance, non-violence and racial unity.

The King holiday is unlike many other national holidays which tends to make people look back in commemoration of some event or key figure. The King holiday makes Americans and people around the world examine their shortcomings and look forward to

the path they need to travel in order to become worthy of their ideals.

The Commission's work with the international community through the U.S. Department of State, the U.S. Mission to the United Nations and the U.S. Information Agency has demonstrated the power of the King Federal holiday and Martin Luther King, Jr.'s teachings and legacy to impact peoples hearts, minds and actions all over the world.

Although we take pride in the accomplishments of the Commission, we must understand that simply having the King holiday officially observed in all 50 States is only the beginning of a continuing process to bring integrity and continuity to the occasion. We are all well aware that many American holidays have experienced discontinuous histories because they did not embody the values which speak directly to America's life as a Nation nor did they adequately articulate the central ideals and principles for which America stands. The King holiday must do all of these things if it is to experience institutional growth and in the name of Martin Luther King, Jr. really change peoples attitudes and behavior.

This past year, since the last celebration of Dr. King's holiday, violent events have been a nemesis to Dr. King's dream of the beloved community and world house. Violence inspired by racial, ethnic and religious hatred has been all too easy to find in the United States and around the world. America has been a Nation divided and disunited.

I have called for followers and supporters of Martin Luther King, Jr. to return to Washington on August 28, 1993, not only to observe the anniversary of the historic I Have a Dream address but also to sound the death knell for an age of apathy and indifference and to bring in a new era of healing, hope and opportunity.

I believe that America is poised for a new acceleration in the drive to achieve Dr. King's dream, and I believe that the time has come to make a new beginning with the King Federal Holiday Commission. I believe the time has come to make the King Holiday Commission a permanent Federal entity with the budget and staff necessary to bring the King holiday to its full and yet unrealized potential. Such support for a permanent Federal Commission is easily one of the most cost-effective investments which we can make toward the achievement of racial and ethnic unity in America and toward the elimination of the violence that plagues and preys upon our Nation's young people. I am submitting a position paper drafted by the Commission's executive director regarding the justification of a permanent King Federal Commission.

We have only to look at what has happened and is happening in America and around the world to see the damaging futility of hatred and violence. There has been lesson after lesson that illustrates how right Dr. King's message is. We will achieve that better world for which we long only if we embrace his dream. One way to demonstrate our determination to embrace his dream is by supporting the establishment of a permanent King Holiday Commission, provided with an appropriate level of funding as the U.S. House of Representatives voted to do in 1989.

If the Congress should decide to extend the life of the Commission and to make it permanent, we would like to address several important challenges:

No. 1, to expand our annual "I Have A Dream" Youth Assembly to include State assemblies. Pennsylvania, North Carolina, Arkansas, and New York are already moving in this direction.

No. 2, to expand our Youth Against Violence Symposiums to all 50 States.

No. 3, expand efforts to bring knowledge of Dr. King's life, legacy and teachings to millions of more grade and high school students.

No. 4, undertake a major campaign to create partnerships between government and business in support of the King Federal holiday.

No. 5, work to make the occasion of the King holiday a time for Americans to undertake voluntary national and community service projects to improve the quality of life in their communities, States and, ultimately, the Nation.

No. 6, use the King holiday to build bridges of unity and understanding between races and cultures and to transform our diversities as a people into our greatest strengths.

As we embark upon a new national journey to reclaim our American heritage and as we prepare to set our domestic house in order, while accepting our responsibilities as the world's leading democracy, let us remember the words of Thomas Paine, "We have it in our power to begin the world all over again."

Mr. Chairman, I am proud of our past achievements. We now look forward to achieving what could be. In this respect, the work of the King Federal Holiday Commission has just begun.

Thank you, Mr. Chairman, for the opportunity to make this presentation.

I have with me Mr. Lloyd Davis, Executive Director of the Commission, and Mr. Bill Darnell, a member of the Commission and the chair of our Public Relations Committee, and we will be happy to respond to your questions.

Mr. SAWYER. Thank you very much, Mrs. King.  
[The prepared statement of Mrs. King follows:]

PREPARED STATEMENT OF MRS. CORETTA SCOTT KING, CHAIRPERSON, MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION

Chairman Sawyer and distinguished members of the subcommittee. I welcome the opportunity to appear before you this morning and report on the continuing work of the Martin Luther King, Jr. Federal Holiday Commission.

I have prepared a detailed summary of the work of the Commission which I am submitting with my testimony. I am also submitting a copy of our 1992 annual report on the observance of The King Holiday which will illustrate the successes achieved by the Commission. This information will also highlight some of the important challenges which remain to be addressed in our effort to make the King holiday all that it should be.

Established by Congress in 1984 at the urging of the King Center's Board of Directors, the MLK Jr. Federal Holiday Commission has worked tirelessly to institutionalize the King Federal Holiday and coordinate holiday activities across the nation, as well as in many other countries. When the King Federal Holiday Commission began its work only seventeen states observed the holiday. This past January 18th all fifty states did so. Voters in Arizona went to the polls on November 3rd and as a result Arizona became the first state to establish a King paid holiday by popular vote and New Hampshire's newly elected governor Steve Merrill, established the holiday by executive order.



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Under the careful guidance of the King Federal Holiday Commission, the King Holiday has become one of the most powerful tools for fulfilling Dr. King's dream. The Commission has moved to fashion the holiday into a world class celebration of human inclusiveness and a time for people to focus on the values of tolerance, non-violence and racial unity. The King holiday is unlike many other national holidays which tend to make people look back in commemoration of some event or figure. The King Holiday makes Americans and people around the world examine their shortcomings and look forward to the path they need to travel in order to become worthy of their ideals, to become the people they would like to be.

The Commission's work with the international community through the U.S. Department of State, the United States Mission to the United Nations and the United States Information Agency, has demonstrated the power of the King Federal holiday and Martin Luther King Jr.'s teachings and legacy, to impact peoples hearts, minds and actions all over the world.

Although we take pride in the accomplishments of the Commission, we must understand that simply having the King holiday officially observed in all fifty states is only the beginning of a continuing process to bring integrity and continuity to the occasion. We are all well aware that many American holidays have experienced discontinuous histories because they did not embody the values which speak directly to America's life as a nation nor did they adequately articulate the central ideals and principles for which America stands. The King holiday must do all of these things if it is to experience institutional growth and in the name of Martin Luther King, Jr. really change peoples attitudes and behavior.

Mr. Chairman, this past year since the last celebration of Dr. King's holiday violent events have been a nemesis to Dr. King's dream of the Beloved Community and World House. Violence inspired by racial, ethnic and religious hatred has been all too easy to find in the United States and around the world. America has been a nation divided and disunited.

I have called for followers and supporters of Martin Luther King, Jr. to return to Washington on August 28, 1993, not only to observe the 30th anniversary of the 1963 March on Washington and the occasion of Dr. King's historic "I Have A Dream" address, but also to sound the death knell for an age of apathy and indifference and to ring in a new era of healing, hope and opportunity.

I believe that America is poised for a new acceleration in the drive to achieve Dr. King's dream and I believe that the time has come to make a new beginning with the King Federal Holiday Commission. I believe that the time has come to make the King Federal Holiday Commission a permanent Federal entity with the budget and staff necessary for it to bring the King holiday to its full and yet unrealized potential. Such support for a permanent Federal Commission is easily one of the most cost-effective investments which we can make toward the achievement of racial and ethnic unity in America and toward the elimination of the violence that plagues and preys upon our nation's young people. I am submitting a position paper, drafted by the Commission's executive director, regarding the justification of a permanent King Federal Commission.

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1. Expand our annual "I Have A Dream" Youth Assembly to include state assemblies. Pennsylvania, North Carolina, Arkansas and New York are already moving in this direction.
2. Expand our Youth Against Violence Symposiums to all fifty states.
3. Expand efforts to bring knowledge of Dr. King, his life, legacy ad teachings to millions of more grade and high school students.

4. Undertake a major campaign to create partnerships between government and business in support of the King Federal Holiday.

5. Work to make the occasion of the King Federal holiday a time for Americans to undertake voluntary national and community service projects to improve the quality of life in their communities, states and ultimately the nation.

6. Use the King Holiday to build bridges of unity and understanding between races and cultures and to transform our diversities as a people into our greatest strengths.

As we embark upon a new national journey to reclaim our America heritage and as we prepare to set our domestic house in order, while accepting our responsibilities as the world's leading democracy, let us remember the words of Thomas Paine, "We have it in our power, to begin the world all over again."

Mr. Chairman, proud of our past achievements, we now look forward achieving what could be. In this respect, the work of the King Federal Holiday Commission has just begun.

Thank you Mr. Chairman for the opportunity to make this presentation. I have with me, Mr. Lloyd Davis, executive director of the Commission and Mr. Donald Alexander, a member of the Commission and our legal counsel, and Mr. Bill Darnell a member of the Commission and the Chair of our Public Relations Committee and we will be happy to respond to any questions.

Mr. SAWYER. The statement that was prepared by the executive director will be made a part of the record of this hearing.

Mrs. KING. Thank you.

[The information follows:]

#### WHY THE MARTIN LUTHER KING, JR. FEDERAL HOLIDAY COMMISSION IS NECESSARY

[Lloyd Davis, Executive Director, Martin Luther King, Jr. Federal Holiday Commission]

Without the continuous year around promotion, interpretation, guidance, coordination, technical support and oversight, provided by the King Federal Holiday Commission, the King holiday would never have become a reality, celebrated officially in fifty states, U.S. territories, the District of Columbia, by the military, at all U.S. installations, and in some manner in more than 100 nations.

Without the continued presence and involvement of the King Federal Holiday Commission at every level of government and with every segment of the population, the King Federal holiday will never reach its full potential for building bridges of unity and understanding between races and cultures, familiarizing Americans with Dr. King's nonviolence teachings and methods, promoting tolerance and nonviolence behavior among youth and encouraging Americans to participate in national and community voluntary service projects on behalf of the causes and concerns for which Dr. King gave his life.

Without the continued hands-on attention provided by the King Federal Holiday Commission, the King Holiday has no assurance of maintaining its integrity or its continuity as has Independence Day which has gained in importance with each passing year. In the 19th century particularly, Independence Day assumed a central role in defining the values and aspirations that had inspired the America revolution and formed the founding of this nation. It is fitting that the King holiday should commemorate the Second America Revolution, the Civil Rights Movement. This movement has been seen by many as the 20th century embodiment of the ideals first set forth in the Declaration of Independence. At the intellectual and emotional center of Dr. King's vision was his hope and absolute insistence that America live up to the standards set forth by the Declaration of Independence.

Without the monitoring of activities by the King Federal Commission, state and local King commissions and the public media, the King holiday could very quickly become another day of shopping for bargain sales. Many of the America holidays which have experienced discontinuous histories may have done so because they did not embody values which spoke directly to America's life as a nation nor did they adequately articulate the central ideas and principles for which America stands.

There is a growing consensus developing around the elements of the King holiday which address remember, celebrate and act. The Commission seems to have adequately defined remember and celebrate, but it is the action element which is receiving the greatest attention and scrutiny at this stage in the development of the King holiday. There are several major action oriented programs which many diverse organization focus on during the King holiday.

Nonviolent direct actions on behalf of the causes and concerns for which Dr. King stood for.

Nonviolence education and training in Dr. King's beliefs and methods.

Voluntary community service projects aimed at improving the quality of life for all people.

Building bridges of unity and understanding between races and cultures.

Worldwide moratorium on violence on the King holiday.

Without the King Federal Holiday Commission, thousands of youth across America would never be introduced to Dr. King nonviolence teachings, methods and Blueprint for Life. The Commission continues to expand its outreach to young people between the ages of 9 and 17.

The annual "I Have A Dream" Youth Assembly provides a setting for information and education in Dr. King's nonviolence teachings. The Assembly offers the opportunity to apply Dr. King's teachings to the resolution of problems which they face in their homes, schools and communities. Finally, the assembly focuses on the promotion of racial and cultural unity, tolerance, self-worth, love, excellence and patriotism. The project has become so successful that Pennsylvania, Arkansas and North Carolina are planning to sponsor individual State "I Have A Dream" Youth Assemblies.

The Youth Against Violence Program, is a cooperative venture between The King Federal Commission and the nation's primary Law Enforcement Organizations. It has involved 24,000 youth from 15 states in Youth Against Violence Symposiums. Thousands of Youth have also signed "Youth Against Violence" pledge cards. The Symposiums bring youth, educators, law enforcement personnel and parents together to collectively and cooperatively, focus on solutions and alternatives to the violence now preying upon youth. Issues addressed in the Symposiums include, drugs, random and gang violence, crime, sex, hopelessness, unemployment. Youth are introduced to the art of conflict resolution and are encouraged to use Dr. King's "Blueprint for Life" as a guide for life. The Federal Bureau of Investigation continues to provide critical staff support for this program.

Without the continued presence of the King Federal Commission and its leadership, an extraordinary network of organizations, institutions and individuals, who have become involved with the observance of the King Federal Holiday would have no place to go for the help they require. These groups and individuals depend upon the Federal Holiday Commission for timely factual information, literature, speakers, guidance, advice and direct assistance with programs.

Former President George Bush and others have challenged the Federal Commission to expand its outreach to young people so that they will understand Dr. King's contributions to America and the world and be encouraged to embrace his nonviolence beliefs and methods. The Commission plans to address this challenge by the following means in 1993 and beyond.

Expanding and improving upon the level participation in its Annual "I Have A Dream" Youth Assembly as well as encouraging states to sponsor model "I Have A Dream" Youth Assemblies in preparation for participation in the annual national assembly.

Increase the number of states involved with its Youth Against Violence Symposiums from 15 to eventually all fifty.

Intensify its outreach to public and private schools systems in order to encourage them to infuse Dr. King's teachings into their school curriculums and to use the occasion of the King Federal holiday to encourage their students to embrace Dr. King's nonviolence beliefs and methods and to appreciate racial and cultural diversity.

Use the King Federal Holiday and its ability to move and inspire people to mount a major national campaign to encourage Americans to undertake meaningful national and community service projects which address pressing social problems. Using the King holiday to promote voluntary community service projects, will have a special appeal to the business community which is looking for alternate ways to support the holiday. Businesses could give their employees time away from work on the holiday to participate in these community service projects. The Commission plans to develop guidelines and helpful suggestions to encourage businesses and others to promote participation in national and community service projects as a means of supporting the King holiday.

The King Federal Holiday Commission has the unique capacity to utilize its broad base public support to make a major contribution to the achievement of racial and ethnic unity in America. The involvement of Americans in Dr. King's dream through participation in voluntary community service projects as well as working towards the elimination of the violence that plagues our nation's young people is

one of the most effective programs that the United States government could endorse and support to bring about an unprecedented level of racial and cultural civil unity.

Mr. SAWYER. Can you share your thoughts on specific changes you would like to see to strengthen the Commission's operations if it were made permanent or if its authorization was extended? Things like levels of funding, number of Commissioners, or other kinds of structural changes that you think can help make the Commission stronger.

Mrs. KING. I think we have listed, as I have just said, those things which we feel could happen if the Commission was extended, and I think that—

Mr. DAVIS. Mr. Chairman, with your permission, may I comment on that?

One, as you correctly pointed out, one of our problems has been the difficulty with inadequate levels of funding. It is really very difficult to conduct a national program, not to mention one that becomes international in so many aspects, with only \$300,000.

The act provides for the Commission, for example, to have five staff members. We have tried to have five staff members, but it is literally impossible, with the levels of Federal salaries and the benefit packages, to be able to accommodate five people with \$300,000. It is just impossible. So, right now, the Commission has two full-time staff people.

It is getting very difficult to get detail personnel like myself made available to the Commission as we think about reducing the deficit and curtailing spending. So the Commission does, as you correctly pointed out, continue to have a financial problem both in terms of the level of Federal funding as well as our ability to compete in the private market for scarce dollars. That is very difficult.

Additionally, if we were able to have five staff people, the way the legislation has been structured, the GS grade level is restricted to 13, and I think the exception is for the executive director—if it was able to have an executive director. But in a competitive market, and certainly in an environment like Washington where you have so many Federal employees, you are at a disadvantage when you can only offer a 13, even if you had the money, and people can go across the street, in a sense, and get a 14 or 15. Removing that restriction would be very helpful.

Could I make one more comment? The current legislation, as amended back in 1989, also has that provision in it about not engaging in any training or social protest activity. We have tried religiously to honor both the spirit and the language of the law in not engaging in that activity, and it has not proven difficult.

Mr. SAWYER. The care that the Holiday Commission has taken to separate those activities is, I think, one of the things that has really won the admiration of those who have followed its work closely throughout the Congress, both in the House and Senate.

Mrs. KING. May I mention the fact that we have so many activities going on throughout the Nation in very remote places across the country, as you will see in reading the report, the annual report. That report can be circulated to only so many people because we don't have resources. But, somehow, if we had the resources financially to disseminate information more widely on

what the Commission is doing, I think even more people would want to celebrate it.

I am often talking to people, and they know so little about what is going on around the birthday. They will say, these things ought to be going on. They talk about what ought to be going on in schools, and, of course, there is a lot going on in the schools.

And the Commission has had conferences annually to help the educators in school systems to learn and to teach about Martin Luther King, Jr. in the school system. The King Center prepared an infusion model in teaching of Dr. King's philosophy and methods to grades K through 12, and that is available to be used and has been used in our conferences.

The other fact is that so many white Americans don't seem to be involved yet, and I think it is very important to help all Americans to understand that it is not just a day for black Americans. It is for Americans of all ethnic, racial and religious, cultural backgrounds. It is the one holiday, I think, that we celebrate that can be that and is that but on too small a scale yet. I think.

We have reached all the stars we can reach without having more resources, I think. We will continue to do the best that we can, but it is very important—

Mr. SAWYER. We will hear later on this morning from representatives of a Commission that clearly suffered as a result of underfunding and a mission that charged it to reach beyond any reasonable expectation of where that funding could lead. It is remarkable what you have been able to do with the limited funding that you have had.

The events surrounding August 28 are sure to capture a wide range of national attention. Could you describe for us the kind of planning that is going into that landmark event?

Mrs. KING. Well, what we have done since 1983, when we celebrated the 20th anniversary of the march on Washington, which was the first time it had been celebrated since 1963, was to mobilize the seven—at the time we called it the seven human rights communities, a broad cross-section of the American community, in what we call a New Coalition of Conscience, because the first march was called the Coalition of Conscience.

And it is important that people of all—again—ethnic groups come together to affirm, first of all, affirm their faith in the American dream. I think Dr. King put it well in his remarks on that day, but, at the same time, to continue to work to make sure that we remain a strong and Democratic Nation that is all-inclusive.

And it gives us an opportunity to celebrate that but, at the same time, to look at what things we still need to achieve to fulfill that dream because there is still people who are without jobs and incomes. There are still people without adequate housing and health care. And, of course, we have many of our children who die as infants. The infant mortality rate for a Nation as wealthy as America is really disgraceful.

There is a lot that we still need to do, and I think, in commemorating this occasion, at the same time looking at those things that still need to be done, I think it can help us all to grow stronger and help us to have a greater sense of a common purpose, the commonality that we share is usually emphasized. And each time we have

had the celebration as we did in 1983 and 1988, 5 years ago, I think we all came away feeling better about America and better about ourselves.

I think this time, with the kind of hope that has already been engendered among people and with the—with what is happening even around the world, I think it gives us a great hope for the future that America can continue to be and must be an example for the rest of the world to follow in terms of its democracy.

I am sure that South Africa is looking very closely at us today because they are moving toward a new South Africa and a democratic inclusive nation. And we are very concerned about the new democracies that are emerging in Eastern Europe, and we have to continue to set the example for those in a way in which we relate to each other as Americans, the way we care about each other.

And this is a time, I think, this year, when we commemorate the 30th anniversary that we can have representation from all those countries around the world that have been more recently—more recently have become democratic states as well as looking at those troubled areas around the world. Because they, too, will want to move in this direction. I hope we can have representation at the rally and march of those representatives that are here and some may come in for this occasion. It ought to be an occasion that every American will want to celebrate and to recommit themselves to continuing efforts to fulfill the dream—Dr. King's dream—for America and for the world.

Mr. SAWYER. Well, I don't think that anyone who watched the events in 1989 and 1990, as they marched their way across Central and Eastern Europe, mistake the power of the message that bounds us all together or the example that gave them heartened courage and vision to make that possible.

This past January, I had the privilege to join with a delegation of American congressmen who were meeting with their counterparts in the European parliament at Strasbourg on the eve of the King holiday this year. Some 15,000 people marched across the bridge at the Rhine between Freiburg and Strasbourg to demonstrate a rejection of xenophobia and intolerance of the kinds that has recently been sweeping some parts of Europe. That common will to join in shared purpose in resistance to those forces of fear and hatred are really a continuing legacy that we cannot afford not to invest in in this world.

So I join with you and note the introduction of legislation by Congressman Lewis, either just completed or pending, to accomplish the goals that you have described this morning. It will be my privilege to cosponsor that legislation and to seek the participation of others across this House from all parts of the country and from both sides of the aisle.

Mrs. KING. Mr. Chairman, thank you very much. I would like to just add one other thing which I think is very important to note at this point: That most of these revolutions that have taken place have been nonviolent. And I think it is remarkable that in such a short period of time there have been so many changes with so little violence, and we really feel very strongly that it had a lot to do with Martin Luther King, Jr.'s influence, and certainly he was influenced by others like Gandhi.

I would like to point out the example of the Soviet empire, which had a bloody revolution in the late 1930's, and, in about 1990, when we noted the dissolution of the Soviet empire, in a nonviolent way. That is really unheard of in the history of the world.

Mr. SAWYER. Who would have dreamed it possible? I can think of at least one man who might have.

Mrs. KING. Right. When we think of all the violence that is in the world today we have to think about those positive things that have taken place. I like to do that, too, because it helps you to keep on working and struggling to achieve what I think can become a more—certainly a more, even more Democratic society, a less bound society, and a—we call it, I guess, one of the ideal states, the beloved communities. We may not ever achieve it as it was envisioned by Martin Luther King, Jr., but I think we can keep going toward it, and I think we are moving toward it.

Mr. SAWYER. Today marks another beginning. Thank you very much for being with us this morning.

Is there anything else that you would care to add?

Mrs. KING. Thank you very much, Mr. Chairman. We appreciate the kind of support that you have given to the King holiday. And, as a member of the Commission, we look forward to working with you in the future as we continue to make it an even greater Commission as well as the accomplishments even greater for all the people of our Nation.

Mr. SAWYER. Thank you.

Our second witness this morning is Professor Henry Raymont, who is a Commissioner and Chairman of the Culture Committee of the Christopher Columbus Quincentenary Jubilee Commission.

Professor Raymont, it is a pleasure to have you here this morning. I understand that you are pinch hitting for Gene D'Angelo, and we greatly appreciate your flexibility in making that possible. We will miss him but look forward to getting to know you better.

Mr. RAYMONT. Thank you very much Mr. Chairman. It is certainly a distinct honor to be invited here to follow Coretta Scott King, whose courage and work I admire, to testify on behalf of the Christopher Columbus Quincentenary Commission. I am honored to serve as a Commissioner and Chairman of the Culture Committee.

I come before you today in representation of the Commission's Acting Chairman, Dr. William McNeill, who is on a lecture tour in Europe at the present time.

The Columbus Commission is pleased to testify before the subcommittee to discuss its activities for fiscal year 1993. And, before I continue with a prepared statement, I thank you very much for your encouraging remarks concerning the current administrative and fiscal state of a Commission that has a history of considerable difficulty.

To begin with, our executive committee met in December 1992, to discuss the Commission's final plans for fiscal year 1993, in terms of our programs and in view of the current budget constraints. Our enacting legislation, Public Law 100-94, states that "a final report shall be made to Congress no later than December 31, 1993, upon which date the Commission shall terminate." The Commission received a fiscal year 1993 appropriation of \$200,000, which is the final appropriation we will receive to complete our activities and

fund all closeout costs. With all of this in mind, our executive committee determined that the Columbus Commission would need to complete its formal mission effective June 30, 1993.

I would like to make a personal comment here, and that is that I consider that decision somewhat unfortunate in view of our commitment to help Puerto Rico celebrate its Quincentenary. And that project was received with considerable enthusiasm in Puerto Rico and in several communities that we have already been in touch with in the United States. I would like to come back to that later.

Moreover, the Commission had always planned to scale down the size of its staff for its final mission in calendar year, 1993. Since late January, we have been operating with a two-person staff. Since Columbus Day, October 12, 1992, the Commission has been active in a variety of areas and will continue with its mission until the end of June.

I would like to take this opportunity to describe in detail, our final agenda as we continue to develop a lasting legacy of educational, historical and cultural programs, that will have residual benefits throughout this decade. We strongly believe that this is important in that the Quincentenary has provided a unique opportunity for learning in an historical and contemporary context and enabled us to examine the events and people that have shaped the course of our Nation's destiny over the past 500 years, and to learn and build upon these experiences as we plan for the 21st century.

In a broader sense, the Quincentenary has also offered an opportunity to learn and experience that we are in fact, a community enriched and nurtured by many cultures which has enabled all of us to perceive and position ourselves as part of an interdependent global society. It is with these thoughts in mind, that the Columbus Commission will finalize its mission over the next 3½ months.

Specifically, the Commission will continue to work on the following programs:

1. We will continue to assist schools, K through 12, with respect to our "Teachers' Curriculum Guide," which has been distributed to public officials who head the Departments of Elementary and Secondary Education in the United States and the five U.S. Territories and Department of Defense Dependents Schools, in addition to the Directors of the Council for American Private Education.

I believe that the committee has independently received the full package, so I may skip the rest of description one and come to point two.

2. The Commission's Quincentenary Calendar of Programs and Events, our national data bank, will remain active as we will continue to enter information in regard to Quincentenary programs and events that have already taken place. Public Law 98-375, our enacting legislation, mandates that we maintain such a calendar.

We will continue to disseminate this important information, as requested, to civic organizations, institutions, schools, media, individuals, etc.

Here is one of the instruments that I think will be very helpful to the Puerto Rican event. Distribution can be done by category (of which there are 30), by a specific State or by an exact date. We have brought copies of our condensed version of the master calendar.



Mr. Chairman, once completed, the Commission will present a final version of the master calendar to your committee and to the U.S. Archives.

3. The Columbus Commission will work closely with Puerto Rico over the next 3½ months. Later this year, the Puerto Rican Quincentenary Commission will celebrate the 500th Anniversary of Columbus' second voyage. Puerto Rico is the only territory of the United States where Columbus actually touched ground. The Columbus commission has forged a close relationship with the Puerto Rican Commission, and we are working with them in order to enhance their efforts as Puerto Rico develops its programs and events. Our Commission will act as a resource for the Puerto Rican Commission by providing information and ideas, in addition to serving as a liaison with appropriate U.S. organizations.

The celebration of Puerto Rico's Quincentenary is an especially important event. I think it is also important to note that this comes at a very timely moment because Puerto Rico is confronted once more with a very heated debate over its future status, whether to remain a Commonwealth or become the 51st State of the Union or vote for independence, and this has become a major issue. We strongly believe that having a dialog with Puerto Rico about the 500th anniversary, from both a national and hemispheric perspective, is very beneficial in an historical and cultural context and will most definitely enhance the mutual understanding of our peoples. It lends itself to reflection on the island's cultural and political values, its symbiotic relationship with the United States and its unique position of interlocutor with both the Spanish speaking and the Anglophone Caribbean nations.

The Columbus Commission is also planning a joint meeting with the Puerto Rican Quincentenary Commission later this spring in Puerto Rico. We are currently working on a substantive agenda with Puerto Rican officials in Washington and San Juan. I must point out that all of our commissioners will be paying for their own travel expenses. I would like to come back to that if I may, sir.

4. The Commission will continue to work with Spain in conjunction with the Spanish Caravels. The Nina, Pinta and Santa Maria completed their primary tour of Gulf and East Coast cities in Boston on August 16. They have returned to New York City for an extended period of time.

Upon completion of their stay in New York, the Caravels will most likely be installed in a permanent resting place in the United States for the benefit of the public. The Commission will work with Spain to ensure that these historic reproductions find a proper home.

5. The Commission is responsible for the preparation of all of its official documents and records for the U.S. Archives. The Archivist of the United States is an ex-officio member of the Columbus Commission, and we will work closely with his representative, in order to categorize and preserve these most historical documents.

Mr. Chairman, since this will most likely be our final opportunity to formally testify before your subcommittee, I would like to take a few minutes to simply mention some of the Commission's most important accomplishments over the past several years, focusing primarily on 1992.

I would first like to thank you, Mr. Chairman, for the guidance we have received from your committee. By all means, the support of Congress has been critical to the success of the Commission in its commemoration of the Quincentenary nationwide.

Second, the members of the Commission are to be commended for their tireless efforts, whose membership collectively embraces a broad range of accomplishments in the Nation's business, government, cultural and academic life.

If I may, Mr. Chairman, put in the record the details of the programs, particularly in 1992, events, and—

Mr. SAWYER. The full text of your entire statement will be included in the record.

Mr. RAYMONT. Thank you very much. I am available if you have any questions.

[The prepared statement of Mr. Raymont follows:]

PREPARED STATEMENT OF HENRY RAYMONT, COMMISSIONER AND MEMBER OF THE EXECUTIVE COMMITTEE, CHRISTOPHER COLUMBUS QUINCENTENARY JUBILEE COMMISSION

Mr. Chairman, Members of the Subcommittee, my name is Henry Raymont, and I am honored to serve as a Commissioner and Member of the Executive Committee of the Christopher Columbus Quincentenary Jubilee Commission. I come before you today in representation of the Commission's Acting Chairman, Dr. William H. McNeill, who is on a private overseas mission in Europe.

The Columbus Commission is pleased to testify before the Subcommittee to discuss its activities for Fiscal Year 1993. To begin with, our Executive Committee met in December, 1992, to discuss the Commission's final plans for F.Y. '93, in terms of our programs, vis-a-vis our budget constraints. Our enacting legislation, Public Law 100-94, as amended, states that "a final report shall be made to the Congress no later than December 31, 1993, upon which date the Commission shall terminate". The Commission received a F.Y. '93 appropriation of \$200,000, which is the final appropriation we will receive to complete our activities and fund all closeout costs. With all of this in mind, our Executive Committee determined that the Columbus Commission would need to finalize its mission and terminate effective June 30, 1993.

Moreover, the Commission had always planned to scale down the size of its staff for its final mission in calendar year, 1993. Since late January, we have been operating with a two-person staff—our Executive Director and Executive Assistant. Since Columbus Day, October 12, 1992, the Commission has been active in a variety of areas and will continue with its mission until the end of June. I would now like to take this opportunity to describe in detail, our final agenda as we continue to develop a lasting legacy of educational, historical and cultural programs, that will have residual benefits throughout this decade. We strongly believe that this is important in that the Quincentenary has provided a unique opportunity for learning in an historical and contemporary context. The Quincentenary has also enabled us to examine the events and people that have shaped the course of our nation's destiny over the past 500 years, and to learn and build upon these experiences as we plan for the 21st Century.

In a broader sense, the Quincentenary has also offered an opportunity to learn and experience that we are in fact, a community enriched and nurtured by many cultures which has enabled all of us to perceive and position ourselves as part of an interdependent global society. It is with these thoughts in mind, that the Columbus Commission will finalize its mission over the next three and one half months.

Specifically, the Commission will continue to work on the following programs:

1. We will continue to assist schools (K through 12) with respect to our "Teachers' Curriculum Guide", which has been distributed to public officials who head the departments of elementary and secondary education in the United States and the five U. S. Territorials, and Department of Defense Dependents Schools, in addition to the Directors of the Council for American Private Education.

The "Teachers' Curriculum Guide" is a resource package which contains historically correct and objective content about Columbus and his times, the four voyages and impact upon both the old and new world alike, lists of suitable references and resources for both teachers and students, in addition to appropriate classroom activities to enhance student learning. The "Teachers' Curriculum Guide" was written

by teachers attending a graduate seminar at Washington State University. The project was written by teachers for teachers, and was edited by Dr. Thomas P. Ruff, Professor of Education at Washington State University and by the Columbus Commission. This document was originally a total of 180 pages, but in working closely with Washington State University, the Columbus Commission made several important edits. The "Teachers' Curriculum Guide" is now a total of 130 pages.

The most economical way for the Columbus Commission to distribute this resource package, was to produce the "Teachers' Curriculum Guide" in the form of computer-ready floppy discs (IBM compatible/MS DOS/WordPerfect and Macintosh/Microsoft Word). Another benefit to the diskettes is that it allows unlimited print out and duplication privileges. The classroom teacher is able to review the entire document, select portions for his or her class use, and print out only the part needed.

Once again, we will continue to focus our attention on this program and respond to specific requests. We have brought hard copies and diskettes along with us this morning.

2. The Commission's "Quincentenary Calendar of Programs and Events" (our national data bank) will remain active, as we will continue to enter information in regard to Quincentenary programs and events that have already taken place. Public Law 98-375, our enacting legislation, mandates that we maintain such a calendar.

We will continue to disseminate this important information, as requested, to civic organizations, institutions, schools, media, individuals, etc. Distribution can be done by category (of which there are 30), by a specific state, or by an exact date. We have brought copies of our condensed version of the master calendar.

Mr. Chairman, once completed, the Commission will present a final version of the master calendar to your Committee and to the U.S. Archives.

3. The Columbus Commission will work closely with Puerto Rico over the next three and one-half months. Later this year, the Puerto Rican Quincentenary Commission will celebrate the 500th Anniversary of Columbus's second voyage. Puerto Rico is the only territory of the United States where Columbus actually touched ground. The Columbus Commission has forged a close relationship with the Puerto Rican Commission and we are working with them, in order to enhance their efforts as Puerto Rico develops their programs and events. Our Commission will act as a resource for the Puerto Rican Commission, by providing information and ideas, in addition to serving as a liaison with appropriate U. S. organizations.

The celebration of Puerto Rico's Quincentenary is an especially important event. We strongly believe that having a dialogue with Puerto Rico about the 500th Anniversary, from both a national and hemispheric perspective, is very beneficial in an historical and cultural context, and will most definitely enhance the mutual understanding of our peoples. It lends itself to reflection on the island's cultural and political values, its symbiotic relationship with the United States and its unique position of interlocutor with both the Spanish speaking and the Anglophone Caribbean nations.

The Columbus Commission is also planning a joint meeting with the Puerto Rican Quincentenary Commission later this spring, in Puerto Rico. We are currently working on a substantive agenda with Puerto Rican officials in Washington and San Juan. I must point out that all of our Commissioners will be paying for their own travel expenses.

4. The Commission will continue to work with Spain in conjunction with the Spanish Caravels. The Nina, Pinta and Santa Maria completed their primary tour of Gulf and East Coast cities in Boston on August 16th. They have returned to New York City for an extended period of time.

Upon completion of their stay in New York, the Caravels will most likely be installed in a permanent resting place in the United States for the benefit of the public. The Commission will work with Spain to ensure that these historic reproductions find a proper home. Various sites are presently being considered for this purpose. Once chosen, the Commission will work as a liaison with the designated city. The three Caravel replicas were perhaps the most visible illustrations of the historic Quincentenary.

5. The Commission is responsible for the preparation of all of its official documents and records for the U. S. Archives. The Archivist of the United States is an Ex-Officio Member of the Columbus Commission, and we will work closely with his representative, in order to categorize and preserve these most historical documents.

Mr. Chairman, since this will most likely be our final opportunity to formally testify before you, Subcommittee, I would like to take a few minutes to simply mention some of the Commission's most important accomplishments over the past several years, focusing primarily on 1992.

I would first like to thank you, Mr. Chairman, for the guidance we have received from your Committee. By all means, the support of Congress has been critical to the success of the Commission in its commemoration of the Quincentenary nationwide.

Secondly, the Members of the Commission are to be commended for their tireless and generous efforts, whose membership collectively embraces a broad range of accomplishments in the Nation's business, government, cultural and academic life.

The Commission began its important mission by establishing its committees; and by adopting its five themes which together encompass the broad significance of the Quincentenary:

1. Christopher Columbus, the man and the visionary.
2. Our Old World Heritage, especially the Spanish contribution to the exploration and settlement of the United States.
3. Our New World Heritage: the contributions of Native Americans to the cultures and peoples of the Americas.
4. The American Alternative: the New World's contribution to the Old World, particularly the common striving for freedom, democracy, and justice, which binds us to the other nations of the Western Hemisphere.
5. New Worlds Then and Now: honoring the Columbian heritage of vision and courage by seeing the earth whole and by welcoming the challenges and opportunities that await the exploration of space.

These categories of significance served as a loose framework into which was fitted the myriad of programs, projects and events that have come to comprise the Commission's extensive list of Official and Registered Projects.

Through the leadership of the Columbus Commission, we helped to develop and nurture some 275 Official Quincentenary Programs and Projects nationwide. It was the Commission's job to encourage local communities, specifically business leaders, community activists and government officials, to develop ideas for substantive programs and projects to celebrate the Quincentenary in their communities.

Subsequently, it was the responsibility of the Commission's many committees to review and select the hundreds of projects that received official endorsement. These were chosen from literally thousands of applications, and ranged from scholastic programs to museum shows to books, lectures, and pieces of art. The projects were judged on their substantive merit, financial soundness, and overall contribution to the commemoration of the Quincentenary.

Those projects which received the Commission's endorsement as "Official" also received the support of its staff, its office resources, and the use of its logo, which served throughout the celebration of the Quincentenary as an imprimatur for public recognition.

These actions, taken successfully by the Columbus Commission, led to the creation of an awareness and focus for the 500th Anniversary across the United States. With their historic and educational significance, the Commission's Official Programs and Projects will be part of our master *Quincentenary Calendar of Programs and Events*, which will be made available to Congress and the U.S. Archives later this Spring.

Although the list of Official Projects approved by the Commission is too long to recount in its entirety, some of the more notable examples include: "Ameriflora '92," an international floral and garden exhibition in Columbus, Ohio, the first of its kind to take place in the United States; "Seeds of Change," an exhibit developed by the Smithsonian Institution, which traces the origins of cultural exchanges between the Old World and the New; and the monograph entitled, "Columbus on Trial: 1492 Versus 1992", the purpose of which was to present a solid, concise argument in defense of Columbus and his voyages, to be used by college students interested in using the Quincentenary as a theme for course work.

In addition to its officially endorsed projects and educational, historical and cultural programs that we continue to be active with in F.Y. '93, the Commission was also heavily involved in the planning and execution of two major maritime events that took place in 1992, which strongly enhanced the public's understanding of Columbus and his achievements. These maritime events consist of the "Tour of the Caravels", Spanish built replicas of the Nina, Pinta, and Santa Maria, and the "Grand Columbus Regatta", which featured spectacular tall ships parades in New York City and Boston, which were seen by millions of people in both cities. The Caravels visited 18 U. S. cities and were viewed in person, by over a million proud Americans. The "Tour of the Caravels" and the "Grand Columbus Regatta" were two major historical events which involved countless hours of preparation and coordination with some seventy countries and dozens of host city representatives here in the United States.

The Commission's service as an official liaison extended far beyond the planning of these spectacles, however. As this country's official Quincentenary organization,

the Commission acted as a clearinghouse and diplomatic representative alike for the nearly thirty foreign nations whose own commissions looked to the United States for assistance in planning their Quincentennial commemorations. Most prominent among these were the Commission's relationships with Spain and Italy; who also graciously hosted meetings of the Commission in their countries, as opportunities to exchange firsthand the cultural ideas and historical references, which formed the basis for their celebrations.

In a similar fashion, the Commission tried to use its formal meetings as occasions to visit cities throughout the United States, to lend encouragement and support to state and local Quincentenary organizations and events. The communication between the Columbus Commission and state and local Quincentenary organizations was most effective, as state and local representatives were kept informed of developments of any importance by members of the Columbus Commission's staff, and vice versa. In all, forty-two states and hundreds of cities adopted some committee or organizational structure that was responsible for the creation of a Quincentennial commemoration in that community.

In closing, I would like to emphasize that the Christopher Columbus Quincentenary Jubilee Commission has travelled a long path since its creation by Public Law 98-375 in 1984. Like Columbus, it has weathered severe storms, chartered some unknown territory, and endured harsh criticism from several sources, before coming to its present position near the end of a fairly successful journey. Its accomplishments in support of the Quincentenary are numerous and diverse, and the members of this organization may look back with pride on their years of service.

Thank you, Mr. Chairman, for the opportunity to come before you today, and I wish to thank the Members of the Committee for their interest. I will now be happy to answer any questions you may have.

Mr. SAWYER. First, let me say thanks on behalf of the current and past members of this subcommittee for the quality and character of work that Commissioners like yourself have brought to the Commission. Had it not been for that unassailable quality, I fear for what might have happened as a result of the earlier mismanagement. You really have represented the finest side and the highest hopes for the original goals of this legislation and for the rebuilding of the work that the Commission has been able to accomplish under its reorganized structure.

You mentioned the concluding work with Spain. Has the Commission undertaken discussions with Spain regarding that nation's compensating the Commission for its losses associated with the tour of the Caravels?

Mr. RAYMONT. Mr. Chairman, I would like to call on our Executive Director, James Kuhn, if I may.

Mr. KUHN. Mr. Chairman, specifically, since the middle of last year—I think it probably goes back to the spring of 1992—we have been talking to the Spain 192 Foundation about a settlement dealing specifically with the licensing operation of the Commission. Our licensees were never granted access in any of the 18 cities to sell their goods, and that was part of our new agreement that we negotiated with Texaco and Spain some time ago.

Since we were not granted access, we went to them and asked that they settle with us. Specifically, we asked for a third of their profits, of their retail and wholesale profits. We were very specific about that. We didn't hear back from Spain. We went back to them with a subsequent offer later this past fall, the fall of 1992, and specifically asked them for a dollar amount. Since then, we have even lowered that, since we weren't able to reach any agreement there.

We are at the point now where we will take a percentage of our second request, and we are still negotiating with Spain, specifically,

the Spain 192 Foundation in Washington, in that regard. It has been a slow process, but we are on the record with them, and we have been very specific.

Mr. SAWYER. Columbus Licensing Services was required, by their contract, to submit monthly reports of licensing activities and revenues to the Commission. Have you been kept up to date on those?

Mr. KUHN. Let me say this—I keep in very close contact by phone and by correspondence with the president of Columbus Licensing Services, Mr. Townsend Lathrop. Unfortunately, I have not received a formal report from him yet. He has several requests from me. He received another on March 11. He realizes he has to produce this.

The primary reason for no reports coming in is because there have been very few sales, and they lost their coordinator because there was not enough money to pay him. I have his word that he will produce this report very soon because he realizes we will be terminating soon, and we will forward that up to you as soon as we get it.

Mr. SAWYER. The ability to have that and to sustain whatever work remains is important for whatever confidence we have. The Columbus coin legislation was designed to create proceeds from the sale of that commemorative coin. Has the Commission been able to share in those proceeds?

Mr. KUHN. Per that legislation, Mr. Chairman, the official Columbus coin is set up such that the monies that are taken in from that on the surcharges of the 50 cent piece, silver dollar and \$5 gold piece, will go into a special Treasury fund for fellowships that will be administered by that Commission. We are very supportive of that program, but, per the legislation, none of those funds will come to the Commission per se.

We do have a licensee who did sell medallions that produced some funds and some sales, but, per the terms of our master contract, the first \$300,000 of profits that came into Columbus Licensing Services, whether from the sale of the medallions or key rings or flags or books, would go to cover expenses, but they never reached the \$300,000. That is why the Commission has not received any monies per se; because the profit margins, the revenues haven't been there.

Mr. SAWYER. Thank you.

Professor Raymont, you talked about the kinds of activities that the Commission might undertake with regard to the Puerto Rican Quincentenary. Would you expand on how those activities can benefit the broader environment in which they will be conducted?

Mr. RAYMONT. Well, I am personally very enthused by this event, and I believe it has the potential for reshaping our understanding for Puerto Rico, which is at a very critical moment right now.

To give one example, I think one of the most successful undertakings that the Commission did, jointly with New York University, for example, was, with the help of the National Endowment for the Humanities, an 18-month cycle of conferences, exhibits, films that New York University staged, the last of which was in December. Professor McNeill and I participated with Mayor Dinkins in the final round, and there were scholars from all parts of the

world, and the emphasis was on interdisciplinary and multi-cultural presentations and rekindling of our historic memory.

I am very happy to report that New York University is again interested in now doing something more modest, but—for example, having the governor of Puerto Rico, having a group of scholars and a seminar, perhaps having also some artistic activities, simply to focus—what I am going to say is very banal, but Puerto Rico is more than just crime and immigration and economic problems.

Let me quickly recall—when I covered Puerto Rico in the 1950's, it was very fashionable in this town to praise Operation Bootstrap, and Puerto Rico became a showcase for economic development across the world. During the Kennedy years, it was focused more on the western hemisphere.

What I found truly remarkable was that, at the time, Governor Munoz felt that economic development was not enough for the identity of a society, and he launched what became known as Operation Serenity. Operation Serenity was creating the Puerto Rican Institute of Culture, having a massive effort to restore the old colonial San Juan, which today is one of the great tourist attractions, so it even had an economic side effect. And then came the Casals Music Festival which brought leading musicians from all over the world to Puerto Rico.

One of the things I did with some friends and the current member of our committee—Luis Ferre was the first donor—and that was to create a fellowship program for young musicians to come to the rehearsals and to the concert conducted by Pablo Casals. Munoz was a poet, but he knew this was important, and it was the Government of Puerto Rico that subsidized. There is something to be said for subsidizing the arts.

Here was an extraordinarily important example because Isaac Stern, Leonard Bernstein went all over the world talking wonders about how popular the Casals Festival was. It was like Vienna. Every cab driver knew who was playing when. I think that the new governor is conscious of that, and the Quincentenary can serve as a stimulus to enhance the arts and that other side of Puerto Rico that is really not sufficiently known.

Mr. SAWYER. Well, it is really to commend the members of the Commission who have sustained its work at their own expense that prompts me to ask the next question. It is my last question. If, through this or some other vehicle, the best work of this kind of Commission were to be able to be extended, what kinds of projects would you focus most intensively on during the Quincentenary year?

Mr. RAYMONT. If I may, I have a letter that I wrote to the Governor, if I may include that in the record. It has five points.

[The letter referred to follows:]

20 January 1993.

The Hon. Pedro Rosselló,  
Governor of the Commonwealth of Puerto Rico,  
Madison Hotel, Washington, DC.

DEAR GOVERNOR ROSSELLÓ: You will perhaps recall that I had the honor of representing the Christopher Columbus Quincentenary Commission at your inaugural ceremonies at the invitation of Secretary of State Baltasar Corrada del Río. Taking advantage of your visit to Washington for the inauguration of President Clinton, I particularly want to express my appreciation for the attentive reception you gave

on that occasion to the report I gave you on the Commission's decision to devote much of its closing year, 1993, to Puerto Rico's Quincentenary celebration. As you know, it is our belief that any effort made during this Quincentenary to focus national and hemispheric attention on Puerto Rico at this time should help the common task of strengthening mutual understanding.

In the twenty-first century difficult new challenges will await the United States, and a new international configuration will test its ability to adapt to rapid changes and offer imaginative leadership. An intensely competitive universe will require major improvements in the way the United States educates the current and future generations. Many of us share your belief that a deeper understanding of our history and of other cultures by stressing the arts and the humanities, are essential parts of an improved educational system.

In this connection, the celebration of Puerto Rico's Quincentenary is an especially important event; it lends itself to reflection on the island's cultural and political values, its symbiotic relationship with the United States and its unique position of an interlocutor with both the Spanish-speaking and the Anglophone Caribbean nations.

The formation of the North American Common Market and its impact on Puerto Rico and the Caribbean region as a whole is an important issue upon which you might want to focus. NAFTA also holds the possibility of enhancing positive relations among Canada, Mexico and the entire Caribbean region. The increasing interaction that will ensue amongst our peoples is certain to nurture a fuller understanding of one another while fostering increased respect for our distinct national identities.

As chairman of the Commission's Culture Committee I am pleased to report that I already have received expressions of interest from various colleges and cultural institutions for an array of symposia, art exhibits and concerts. Needless to say we would be honored to have you and Secretary Corrada participate in the prospective events whenever your time permits. I have briefly discussed some of these points with Secretary Corrada and hope to meet with him soon again.

Prof. William H. McNeill, who as of today is our acting Chairman, will be in touch with the chairman of your Commission, Senator Roberto Rexach Benitez, shortly.

Time is of the essence because we shall want to discuss sources of funding, perhaps with the support of the National Endowment for the Arts, the Endowment for the Humanities and the Smithsonian Institution for a series of collaborative plans with Puerto Rico's Quincentenary Commission. These could include

- assisting commemorative exhibits at the Museo de las Americas;
- joint symposia with the Universidad del Sagrado Corazón and other institutions of higher learning;
- a series of commemorative chamber music concerts in San Juan and Ponce by some of the young musicians who in the 1960s attended the Casals Festival under fellowships sponsored by the Hon. Luis Ferré, the government of Puerto Rico and the Organization of American States;
- the latter might be held in conjunction with the projected International Congress of Art Critics to be held late in September 1993.
- a conference on Puerto Rico's Quincentenary at the University of Puerto Rico, Cayey, including historians from the U.S., Latin America and Spain.

I want to conclude by reiterating that I was much honored by Secretary Corrada's invitation to participate in the inaugural ceremonies and according me an opportunity to discussing our project with you, if ever so briefly, and to meet with members of your administration.

Sincerely,

HENRY RAYMONT.

Mr. RAYMONT. And one of the things that just developed is that the Boston Symphony Orchestra is going to dedicate its four concerts the last week of November, which follows the anniversary, to Puerto Rico. That will serve as a catalyst for a variety of other events. We hope to have seminars at Harvard. And Brandeis and Boston Universities are interested in having artists and scholars come to the area.

I am sure that there will be many other communities, perhaps Columbus Ohio, among them, that will be receptive to this. For ex-



ample, Smith College is in an area that has 15,000 Puerto Ricans just around North Hampton. They are very eager to do something.

I notice that the Executive Committee, which I have not joined, though I am the Chairman of the Culture Committee, but they decided to end this in June. I am not speaking on behalf of the Commission now but as a matter of common sense. I think if \$100,000 more could be made available to continue the Commission to the end of the year, I think we have a—this, really, is one of the most positive things that could redeem many years of rather shoddy activity. And this may not be politic to say, but I think this is extraordinarily important.

If I may just read you a quick passage. I discussed this with—I went to the governor's inauguration. I said, the celebration of Puerto Rico's Quincentenary is an especially important event; it lends itself to reflection on the island's cultural and political values.

It is also, in the context of the formation of the North American Common Market and its impact on Puerto Rico and the Caribbean region as a whole, is an important issue upon which you might want to focus. NAFTA also holds the possibility of enhancing positive relations among Canada, Mexico and the entire Caribbean region. The increasing interaction that will ensue amongst our peoples is certain to nurture a fuller understanding of one another while fostering increased respect for our distinct national identities.

As specific projects, we are thinking of a joint symposia with the Universidad del Sagrado Corazon, the University of the Sacred Heart of Puerto Rico, a series of commemorative chamber music concerts in San Juan and Ponce by some of the young musicians who in the 1960's were fellows at the Casals Festival and include others—concert artists.

Then there is going to be a Congress of Art Critics to be held late in September 1993. And we are thinking again of events of cultural significance to be done there and then to be brought to the mainland. Then a conference on Puerto Rico's Quincentenary at the University of Puerto Rico, including historians from the United States, Latin America and Spain. In other words, enhance Puerto Rico's role once more as a meeting place for the Americas.

Mr. SAWYER. I can tell you, Professor, that the good that could flow from that would not only redeem the difficulties but really begin to elevate it to the highest standards of hopes that we all held for the work of this Commission.

Thank you for your extraordinary effort to be here today. I appreciate the sacrifice that you and your students have made, and we will continue to be in touch with regard to ways in which the suggestions that you made might be accomplished. Thank you very much.

Mr. RAYMONT. I thank you very much. I expect to be in Puerto Rico on Friday meeting with the former governor, a member of our committee who is now 89 years old, and the current governor. If I may convey to them your words, I will be happy to.

Mr. SAWYER. Thank you.

Our final witness this morning is Nancy R. Kingsbury, GAO.

I appreciate your patience in sticking with us. We were a little late starting this morning.

Ms. KINGSBURY. First, I would like to introduce Linda Elmore, who was the principal GAO staff person responsible for doing the work we are here to report on this morning. If I can have your indulgence to place our written statement into the record.

Mr. SAWYER. Your entire statement will be part of the record.

Ms. KINGSBURY. I will try to be brief.

I would appreciate an opportunity to correct one incorrect fact that slipped into it with respect to the permanent status or not permanent status of the Martin Luther King, Jr. Federal Holiday Commission. We will provide that correction before it is printed.

As you mentioned in your opening statement, following on the report that we made on the original concerns about the Columbus Quincentenary Commission, you asked us to look at the general question of what was referred to as operational boards and commissions and how they are managed and structured.

We set about doing that. We discovered, initially, that there was no real common definition of what was meant by operational boards and commissions. There is an exclusionary definition similar to that in the Federal Advisory Committee Act regulations which set such things outside of their scope. But, other than that, we didn't find any particular place to go, so we went looking for ourselves.

We went to several sources: The Encyclopedia of Governmental Advisory Organizations, the Government Manual, et cetera, and we defined it as a 5- to 10-year period, not a permanent organization, not a Federal Advisory Committee organization, certainly a Federal entity and receiving appropriations. Looking at that, we found about 76 of these sorts of organizations which we further examined.

We judgmentally selected 17 and reviewed their authorizing statutes and discovered that 6 of the 17 we felt really did fit that definition of operational, and we spent the rest of our time looking at those 6: The International Cultural and Trade Center Commission, the Commission for the Preservation of America's Heritage Abroad, the Commission on the Bicentennial of the U.S. Constitution, the Korean War Veterans Memorial Advisory Board, the Blackstone River Valley National Heritage Corridor Commission, and the U.S. Holocaust Memorial Council.

This represented a pretty good sample. We discovered that the authorizing legislation for these commissions really forms the basis for their structure and management, and there is a lot of variability in the provisions of those authorizing statutes. For example, of the six we looked at, five cited Federal personnel law to some extent; only three of the six cited applicability of procurement regulations. But, in all likelihood, procurement regulations generally applied unless they were exempted. Only one addresses the specific issue of the requirement to conduct an audit.

We think if Federal funds are involved, even if private-sector funds are involved and mixed with Federal funds for purposes of the commission, it is important to have an audit.

Mr. SAWYER. Maybe even especially.

Ms. KINGSBURY. Yes. We also discovered that even when provisions of law appear to be specific, questions may arise. We had

questions about the applicability of Federal procurement regulations to donated funds in a couple of cases. We clearly found a legislative history to give an answer to that.

But the point of looking at this is that the approach to authorizing these tends to focus on their purpose and maybe their board structure and not so much on their management structure. So we are suggesting to the committee, although there doesn't seem to be a particular single solution, to permit sort of a boilerplate to be put into these laws. We think there are categories of things which can be examined in each individual case and either included or not.

If you think about them specifically, you might choose to do certain things that don't occur to you otherwise, things like the applicability of Federal regulations and authorization to enter into administrative service agreements. Some of these commissions do have administrative service agreements with the General Services Administration or the National Park Service, which tends to cover them from an administrative point of view. They could probably go forward and do that anyway, but, by putting it into the law, you remind them that that is a possibility.

These commissions involve people who do not have a lot of government experience, so it gives them a sense of direction.

Finally, I think serious consideration should be given to a requirement for periodic audits and for reporting to the Congress. I think there is an inconsistent requirement there for reporting to the Congress. We have a couple of other suggestions associated with reports filed under the Inspector General Act Amendments of 1988 which some of these organizations are covered by, and Congress might want to look at whether that reporting structure could serve some of these purposes.

With that, I think I will conclude my remarks, and if you have further questions we will be happy to entertain them.

Mr. SAWYER. Thank you very much. I thank you both for the work that has been done in preparing this report.

[The prepared statement of Ms. Kingsbury follows:]

PREPARED STATEMENT OF NANCY R. KINGSBURY, DIRECTOR, FEDERAL HUMAN RESOURCE MANAGEMENT ISSUES, GENERAL GOVERNMENT DIVISION, GENERAL ACCOUNTING OFFICE

#### STRUCTURE AND OVERSIGHT OF OPERATIONAL BOARDS AND COMMISSIONS

GAO assisted the Subcommittee on Census, Statistics and Postal Personnel in examining possible improvements to the structure and oversight provided operational boards and commissions. Generally, boards and commissions that make or implement government decisions or policies or hold commemorative events can be described as operational.

The structure and management of operational commissions are guided by their enabling legislation, which can include such items as board membership, applicability of federal personnel and procurement requirements, and audit activities. GAO examined the legislation creating six operational commissions and found that legislation varies in how it specifically addresses particular practices or activities. For example, legislation for five of the six commissions specifically cite the applicability of elements of personnel law. Only one of the six has legislation which addresses the subject of audits of financial or operational matters.

Even if a specific management practice is not addressed in enabling legislation, other governmentwide statutes governing that practice may apply. However, the applicability of particular practices or activities in specific situations has sometimes required further guidance and interpretation.

The question of what elements Congress should incorporate into legislation establishing future boards and commissions is difficult because the same structure would not be appropriate for all of them. On one hand, levying many restrictions on operations or otherwise micromanaging might impede efficiency. On the other hand, because such organizations operate under government auspices, use federal funds, and sometimes receive donated funds, it is important to ensure their proper management. Thus, GAO believes it is necessary to consider the specific circumstances of a proposed commission and consider if there is a need for such features as

- Periodic reports to Congress detailing activities and progress of the commission.
- Independent and periodic audits.
- Authorization to contract with other federal organizations to provide administrative support services.

Mr. Chairman and Members of the Subcommittee:

We are pleased to be here today to discuss our work on the structure and oversight of operational boards and commissions. At your request, we did work in three areas. Specifically, we

- tried to determine which existing boards and commissions have an operational rather than advisory function.
- analyzed the legislation and other documents related to selected commissions to determine the framework for commission operations and for ensuring proper management; and
- identified factors that the Subcommittee and the Congress might wish to consider in designing future legislation creating new boards and commissions.

#### BACKGROUND

Boards and commissions that make or implement government decisions or policies or that observe commemorative events may be described as operational. Such operational boards and commissions differ from those with an advisory function, which are covered under the Federal Advisory Committee Act (FACA). As you are aware, FACA was enacted in 1972 in response to concerns that federal advisory committees were proliferating without adequate review, oversight, or accountability.

The legislative history of FACA indicates that Congress intended that advisory committees operate under uniform procedures in full view of Congress and the public. Among other things, FACA included measures intended to ensure that (1) sound needs exist for establishing and continuing advisory committees and (2) Congress is kept informed of their activities. Under FACA, advisory committees are required to annually report information on their operations to the General Services Administration (GSA), which has been designated to provide general oversight. GSA must make an annual review of each advisory committee to determine (1) if it is carrying out its purpose, (2) whether its responsibilities should be revised, and (3) whether GSA should recommend to the President that a committee be abolished or merged with another committee. Under FACA, the President is required to annually report to Congress on the activities, status, and changes in the composition of advisory committees.

Unlike advisory committees, operational boards and commissions are not subject to the requirements contained in FACA. Each operates independently under the authority granted and does not report to a central organization such as GSA.

#### UNIVERSE OF OPERATIONAL BOARDS AND COMMISSIONS IS UNKNOWN

Early in our work, we found that no central inventory identified boards and commissions outside the authorities of FACA. Consequently, we initially identified non-FACA boards and commissions by comparing the listing of all FACA committees contained in GSA's Nineteenth Annual Report on Federal Advisory Committees with information from other sources, such as the Encyclopedia of Governmental Advisory Organizations, the federal budget, and the U.S. Government Manual. We then compiled a listing of boards and commissions that appeared to meet the following criteria:

- The board or commission was expected to operate over a 5- to 10-year period.
- It was not identified in GSA's annual report on advisory committees as being a FACA organization.
- It was an entity of the federal government.
- It was receiving appropriated funds.

With the help of GSA officials, we further refined our list by eliminating some organizations because further research found them to be covered by FACA after all or because they operate more as independent agencies, such as the Defense Nuclear Facilities Safety Board.

We identified 76 boards and commissions that appeared to meet our criteria and judgmentally selected 17 for closer examination. We found that 6 of the 17 have operational characteristics. These six boards and commissions are:

- International Cultural and Trade Center Commission. This commission was established in August 1987 to participate in planning, creating, and operating an international cultural and trade center on the Federal Triangle site in Washington, D.C. The commission ceased operations in March 1992 after it was determined that the center would not be financially self-sustaining as required by legislation.
- Commission for the Preservation of America's Heritage Abroad. This commission was created in August 1985 to identify and publish a list of cemeteries, monuments, and historic buildings located abroad that are associated with the foreign heritage of United States citizens from eastern and central Europe. It also encourages the preservation and protection of such landmarks and reports on their condition.
- Commission on the Bicentennial of the U.S. Constitution. This commission was established in September 1983 to promote and coordinate activities to commemorate the bicentennial of the Constitution. This commission terminated in June 1992.
- Korean War Veterans Memorial Advisory Board. The board was established in October 1986 to recommend the site and select the design for the memorial, promote the establishment of the memorial, and encourage the donation of private funds for its construction and maintenance.
- Blackstone River Valley National Heritage Corridor Commission. The commission was created in January 1986 to assist federal, state, and local authorities in the development and implementation of cultural, historical, and land resource management plans for lands and waters in the Blackstone River Valley area of Massachusetts and Rhode Island.
- United States Holocaust Memorial Council. This council was established in October 1980 to provide for appropriate ways for the nation to commemorate the holocaust; to plan, construct, and oversee the operation of a permanent living memorial museum to the victims of the holocaust; and to develop a plan for carrying out the recommendations of the President's Commission on the Holocaust.

Two additional holiday commissions—the Martin Luther King, Jr., Federal Holiday Commission and the Christopher Columbus Quincentenary Jubilee Commission—are subject to the jurisdiction of this Subcommittee. We did not include the Martin Luther King, Jr., Federal Holiday Commission with those listed above because it came under the provisions of the Federal Advisory Committee Act in 1989, when the commission was extended until April 20, 1994. The Christopher Columbus Quincentenary Jubilee Commission has been the subject of congressional hearings held by this Subcommittee and our prior testimony.<sup>1</sup> Because of this prior scrutiny, we did not include it for further review.

#### LEGISLATIVE GUIDANCE PROVIDED ON STRUCTURE AND MANAGEMENT

The structure and management activities of each operational commission is guided by the legislation creating it. These structures and activities can include such items as board membership and compensation, adherence to federal personnel requirements in the hiring and compensation of staff and the payment of travel expenses, federal procurement requirements, and audits of financial and operational activities.

We examined the legislation creating each of the six listed operational commissions and found that it varies in how it specifically addresses particular practices or activities that need to be followed. For example, legislation for five of the six commissions specifically cite the applicability of elements of federal personnel law. Legislation for three of the six address the applicability of procurement regulations. The legislation of one addresses the subject of audits of financial or operational matters.

For some types of management activities, such as procurement, travel, and compensation of staff, unless the legislation specifically exempts a commission from a federal statute setting forth governmentwide procedures, the statute would normally be applicable. Also, we found that commissions may follow federal standards as a result of agreements with GSA or other entities to provide support services, even if their legislation is otherwise silent.

For example, we noted that two of the commissions—the Commission on the Bicentennial of the U.S. Constitution and the Commission for the Preservation of

<sup>1</sup> Christopher Columbus Quincentenary Jubilee Commission. (GAO/TGGD-91-24, Apr. 23, 1991).

America's Heritage Abroad—contracted with GSA to provide administrative support services. We examined the Memoranda of Understanding entered into by these commissions with GSA and found that many administrative procedures are covered. Among other things, the Commission on the Bicentennial of the U.S. Constitution's agreement with GSA called for GSA to provide all accounting functions as well as payroll, financial reporting, security investigations, personnel, legal, and ethics counselling services.

Some of the other commissions have administrative services provided by other organizations. For example, through a cooperative agreement, the National Park Service provides services for the Blackstone River Valley National Heritage Corridor Commission and the Holocaust Memorial Council. The agreements call for such things as personnel management, budget and financial management, contracting and small purchasing, and property management services. According to GSA and NPS officials, in providing these services they follow applicable federal regulations and procedures.

We also noted that even when the legislation addresses a provision for particular management practices, questions of applicability and congressional intent may still arise. For example, on two separate occasions we were asked for our legal opinion as to whether the Federal Property and Administrative Services Act of 1949 or the Federal Acquisition Regulations applied to the Holocaust Memorial Council and the Christopher Columbus Commission when contracting with donated funds. The legislation creating both commissions addressed the issue of procurement, but it was unclear whether Congress intended for donated funds to be viewed as appropriated funds subject to all statutes and regulations governing such appropriations. As a general rule, expenditures of both appropriated and donated funds to accomplish a statutory purpose are subject to such statutes and regulations.

In both instances we held that the Council and Commission are not subject to such rules when expending only donated funds. Our conclusion in both cases was based on the same two reasons. First, we noted that certain statutes governing the expenditures of appropriated funds are intended to prevent the augmentation of direct appropriations with funds from outside sources, resulting in a level of operation beyond that authorized by Congress. Since both the Holocaust Memorial Council and the Christopher Columbus Commission are to carry out major, continuing functions using only donated funds, the concern with augmentation of appropriations was not applicable. Second, our review of the legislative history of the enabling legislation for both the Holocaust Memorial Council and Christopher Columbus Commission indicated that Congress intended to allow these entities to expend donated funds subject only to the directives of their governing boards, free of the strictures generally applicable to government funds.

We cite these examples to illustrate that while the underlying legislation creating such boards and commission is a principal means of directing their management activities, questions may still arise, prompting the need for further guidance and interpretation.

#### *Auditing Activities*

In our view, an important management tool to help guide operations is routine financial and operational audits. Such activities facilitate oversight and also serve as a means of keeping Congress informed of the commissions' progress, as well as any problems that need congressional assistance. Audits are also needed to ensure the proper use and management of appropriated funds. While the annual amount of federal funds appropriated for fiscal year 1992 for the operational boards we reviewed varied, from \$200,000 to \$11,000,000, the cumulative total amounts can be significant.

As you know from prior work by this Subcommittee as well as by us, audits can serve to identify instances in which improved financial and internal controls are needed. For instance, in work we did at the Subcommittee's request on the Christopher Columbus Quincentenary Jubilee Commission, we found that it suffered from a lack of accounting controls, weak internal controls, and incomplete or incorrect financial statements and recordkeeping. The Inspector General (IG) who was asked by the Chairman of the commission to audit the commission found problems with receipt and revenue records, property management, payroll, and travel.

We asked the six commissions we reviewed to provide us with all audits conducted since 1988. We found that audits of administrative and/or financial procedures and practices had been conducted for five of the commissions.

- A 1991 GSA IG audit at the Commission on the Bicentennial of the U.S. Constitution found that the two income accounts maintained by the commission accurately reflected the results of sales and collections. GSA concluded that all orders were

processed accurately, vendors were paid in a timely manner, and collections were properly deposited.

- The Korean War Veterans Memorial Fund audit conducted by the U.S. Army Audit Agency traced the general ledger trial balance as of March 3, 1991, and concluded that the statement presented fairly the assets and liabilities arising from cash transactions of the fund and its revenue collected and expenses paid during the year.

- A 1991 GSA audit of the United States Commission for the Preservation of America's Heritage Abroad found a majority of the administrative procedures and practices to be satisfactory. However, it noted deficiencies in (1) the preparation of travel authorizations and vouchers and (2) the reconciliation of commission financial records with the financial records maintained by GSA. In 1992 an independent accounting firm audited the administrative practices and procedures and found them to be satisfactory.

- A December 1990 GSA audit of the administrative procedures at the International Cultural and Trade Center Commission found the overall procedures and controls to be adequate. It also identified opportunities for the commission to improve its controls over some areas, including travel voucher processing and timekeeping.

- Officials at the Holocaust Memorial Council said they have an agreement with the Department of the Interior Inspector General to provide audit services, and the council had its last audit done in 1988. That review consisted of a financial and compliance audit covering the operating period of October 1984 through June 1986. It concluded that the council and the National Park Service, which provides administrative services to the council, did not have adequate internal controls over the expenditure of appropriated funds dealing with such matters as travel, property management, and payroll. Interior's IG followed up on the implementation of its recommendations through 1990, and found that all of the recommendations were eventually adopted. Officials from the Holocaust Memorial Council also pointed out that their trust fund of private donations is reviewed annually by a private accounting firm.

The Blackstone River Valley National Heritage Corridor Commission also has a cooperative agreement with Interior's National Park Service. The Executive Director told us that the commission has not been audited since its creation in 1990, but he plans to work with the National Park Service to schedule an audit in the near future.

#### *Inspector General Act Amendments of 1988*

On a related matter, we also looked at adherence to reporting requirements contained in the Inspector General Act Amendments of 1988. As defined under this act, federal entities, including the Commission on the Bicentennial of the U.S. Constitution, the Commission for the Preservation of America's Heritage Abroad, the Holocaust Memorial Council, and the International Cultural and Trade Center Commission, are to report annually to the Office of Management and Budget (OMB) and each house of Congress on audit and investigative activities in their organizations. Among other things, the reports are to specify the actions taken to ensure that audits are conducted and should include a list of each audit report completed during the period and a summary of any significant findings.

We asked officials from OMB for copies of the reports submitted by these four commissions for the annual reporting period ending October 1992. They said only one report had been received, although we were provided some reports from earlier years. The 1992 report was submitted by the Holocaust Memorial Council. The OMB officials acknowledged that compliance with the reporting requirement has been poor in general—as of this month, 33 of the 71 federal entities required to report in 1992 had not done so and that in the past OMB had not aggressively followed up on nonfilers.

According to these officials, they are undertaking a special project to ensure that 1992 reports are submitted. They sent a follow-up letter in December 1992 to the federal entities that had not filed as of that date and plan to send another. As part of this project, OMB plans to examine information contained in the reports in terms of its value and usefulness. It plans also to consider what, if any, changes should be made to the reporting requirement, including possible additional information requirements.

#### **WHAT PROVISIONS SHOULD BE CONSIDERED FOR FUTURE BOARDS AND COMMISSIONS?**

Boards and commissions are formed as independent entities under legislation drafted by a variety of congressional committees. Enabling legislation is the principal guidance for establishing standards and procedures of operation. As we have

seen, the legislation can and does vary among the commissions as to what is required. This makes it difficult to determine whether the commission is legally required to meet a certain provision. We have also observed that even when the legislation is not specific on certain matters, the commissions themselves may follow practices that are common in the federal government. The question arises about what elements Congress should consider incorporating into legislation that may come before it to create future proposed boards and commissions.

In our view there is no uniformly applicable answer to this question. On one hand, because boards and commissions operate under the auspices of Congress or other authorities, use federal funds, and are sometimes authorized to receive donated funds, it is important that Congress ensure their proper management. On the other hand, it may be counterproductive to levy restrictive provisions or operating instructions that micromanage or otherwise impede efficient operations. To balance these considerations, we believe the specific circumstances and other unique features of a proposed commission would need to be considered. For example, if a proposed commission had a very short time frame to complete a specific function, it might not be practical to require it to go through civil service recruitment and other requirements or to require adherence to all procurement rules.

We do believe, however, that recent work done by this Subcommittee on commissions under its jurisdiction has identified several key areas that provide a framework that legislative drafters of future boards and commissions should consider on a case by case basis. First, enabling legislation could establish a requirement for periodic reports to Congress detailing the activities of the commission, including an accounting of funds received and expended. Such reports would help in monitoring the commission's progress as well as identify difficulties needing congressional attention.

A second consideration could be to require a periodic independent audit of financial transactions involving public as well as private funds. As previously noted, this Subcommittee identified problems with another commission through such independent audits. As the Subcommittee has done in recent legislation creating the Thomas Jefferson Commemoration Commission, we believe it could be helpful to identify which organization is to conduct the audit. In this manner both parties—the commission and the audit organization—are specifically notified of congressional expectations. Because IG offices have limited resources, it may not be practical for a single office to support audits for all new boards and commissions. It might, however, be feasible to spread audit coverage for newly created boards and commissions among different IG offices. Another alternative would be for any new boards and commissions to contract with private accounting firms for these services.

A third provision that should be considered is the authorization to contract with GSA or some other organization to provide administrative support services. Such services can be particularly helpful to commissions with smaller staffs and could minimize the need for new staff to become immediately familiar with such administrative duties as time and attendance and travel regulations. Although the absence of such a provision would not prevent a newly formed board or commission from obtaining such services, its inclusion in enabling legislation would underscore the availability of such services.

In closing, I would like to make one further suggestion. As I have mentioned, the Inspector General Act Amendments of 1988 call for federal entities, including some of the operational commissions covered in our work, to report annually to OMB and each house of Congress on audit activities in their organizations. Among other things, the reports are to specify the actions taken to ensure that audits are conducted and are to include a summary of any significant findings of audits performed during the period. OMB is undertaking a project looking at the value of the information provided in these reports, including possible deletions of, as well as additions to, the information required. This and other committees with jurisdiction over boards and commissions required to report might wish to consider the type of information that would help congressional oversight activities and work with OMB to add it to the reporting requirements. Such information might include plans for future audit activities. Because, as we have found, compliance with the reporting requirement has not been good, this and other committees might also wish to emphasize congressional expectations that the reports be submitted in a timely and thorough manner.

Mr. Chairman, this concludes my statement. My colleagues and I will be pleased to answer any questions you or any member of the Subcommittee may have.

Mr. SAWYER. To our surprise, there really does not appear to be a central repository of information about these kinds of entities. Do



you have any suggestions about how we might centralize information and create an inventory of such entities, their current state of play, and their structures?

Ms. KINGSBURY. I think the legislative and regulatory history of the Federal Advisory Committee Act suggests that there has been on the part of Congress in the past an interest in systematic oversight of these, and that act does provide for an inventory of advisory type committees. It might be conceivable that other kinds of committees, not otherwise covered by some other regulations, could be covered in the same way.

The question becomes one of resources. Even with the FACA inventory that GSA maintains, they admit to being a year late in filing their reports because it hasn't caught very many people's attention. If there is a clear basis in the statute for periodic reports to the Congress and for such things as audits, the individual systems that apply to these things may, in fact, serve most of the purposes. But GSA could be asked to maintain an inventory. I don't think that will be a big problem. I haven't talked to them about that. I suppose I should.

Mr. SAWYER. I am sure they would be flattered by your confidence.

Ms. KINGSBURY. They do have their little problems, but it is better than nothing. We found them very helpful. In scrubbing down our list it was helpful to be able to set aside the ones they knew about.

Mr. SAWYER. An important criteria in defining what operational boards were was the receipt of Federal funding. It has been a central question in a couple of the commissions that we have talked about this morning, the adequacy of funding.

In your opinion, has Congress systematically undermined the ability of some of these commissions to carry out their mandates by providing too little funding, in effect wasting what little funding was provided by not providing enough?

Ms. KINGSBURY. We haven't looked at any one of these sufficiently to answer that question definitively.

Probably the strongest one was the Holocaust Memorial Council, which seems to have been funded or be surviving at a level that is manageable. The problem, if you look at the history of the past few years, is a combination of things. On the one hand, there has been a governmental mind-set to solve problems through the private sector and through voluntary action. And I think Congress probably found that a useful thought in trying to find a way to do some things without spending a whole lot of Federal money.

On the other hand, we can't get away from the deficit. I won't tell you that I think funding these kinds of activities to a greater extent when we are facing the kind of economic crisis we are in this country is something that we can support.

Mr. SAWYER. I understand that. It seems to me that if we do it we ought to do it well or not do it at all.

Ms. KINGSBURY. To be overly optimistic about what kind of sources of private funds are available I think does a disservice to these organizations.

Mr. SAWYER. Would it be wise to charge GSA with that kind of overall oversight responsibility?

Ms. KINGSBURY. They have a structure already in place and, in that sense, there is probably efficiency there, but they are not carrying out that duty particularly well in terms of timeliness right now. I think you would have to consult with them to see what is a reasonable expectation. They clearly have the systems in place to do it.

You may want to give a little further thought to what kinds of organizations that you want to include. Each one of these is a little different, and so some of them we set aside on our list because they are actually functioning as government agencies. You don't need to include those. It is sort of a case-by-case thing.

Mr. SAWYER. You mentioned a checklist. Would it be wise to require those kinds of administrative services by GSA or some other responsible alternative as a part of that checklist?

Ms. KINGSBURY. There is so much variability among these organizations I wouldn't want to try to argue that one particular approach is suitable for all of them.

Mr. SAWYER. I am not suggesting that one approach would but rather that that be a touchstone.

Ms. KINGSBURY. Certainly there ought to be conscious consideration of it. GSA does provide these services routinely. Other organizations could. There is an IG audit community throughout the government that could serve that function, and if you charged a commission to find an IG to do their audit, you would accommodate most of the concerns without being an undue burden on any of the government organizations which are already pretty well strapped.

Mr. SAWYER. I again thank you for the quality of work that went into this report. And is there anything further that you would like to add in closing?

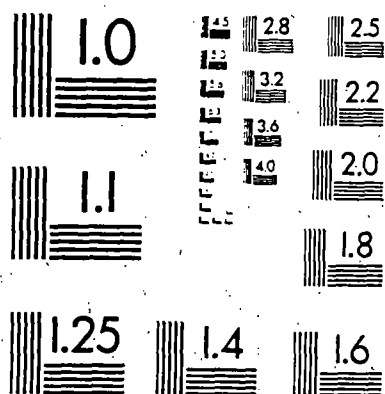
Ms. KINGSBURY. We appreciate being here. It has been a pleasure. Thank you very much.

Mr. SAWYER. If there is no more business to come before the subcommittee we will stand adjourned.

[Whereupon, at 12:20 p.m., the subcommittee was adjourned.]

**MICROCOPY RESOLUTION TEST CHART**

(ANSI and ISO TEST CHART No. 2)



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