

SJR

22

COMMITTEE REPORT
SENATE

3/23/83

FURTHER:

Date: 4/14/83

Mr. President:

The Committee on State Affairs has had SJR 22

Relating to the establishment of the United States Academy of Peace and Conflict Resolution.

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for SJR 22 (SA) same title new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Tom Kelly

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Krischer do pass

CHAIRMAN

PAUL SIVLEY OF SENATOR MURKOWSKI'S STAFF IS WORKING WITH S. 254. HE SAID THE BILL WOULD ESTABLISH AN ACADEMIC INSTITUTION TO STUDY THE CAUSES OF WAR.

THE SENATE BILL WOULD AUTHORIZE 31 MILLION OVER 2 YEARS WITH 6 MILLION FOR OPERATING EXPENSES IN THE 1ST YEAR AND 10 MILLION FOR 2ND YEAR OPERATING EXPENSES. THE REMAINING 15 MILLION WOULD BE FOR A "CAPITALIZATION FUND" FOR OBTAINING OFFICE SPACE AND FOR EQUIPMENT.

THE HOUSE BILL, H.R. 1249, IS DIFFERENT IN THAT IT WOULD ESTABLISH "THE UNITED STATES ACADEMY OF PEACE AND CONFLICT RESOLUTION". IT WOULD AUTHORIZE 18 MILLION OVER 2 YEARS; 5 MILLION FOR THE 1ST YEAR, 8 MILLION THE 2ND YEAR, AND A 5 MILLION CAPITALIZATION FUND.

MORE _ NXT MSG U/R/S _ PREV MSG U/R/S _ RESEND _ CANCEL _

MSG 83-00007111 PRTY 1 04/11/83 12:14:18 ORIG: LWOO IN= 0009 OUT= 0001
FROM: KIM / D.C. FOR GENE KENNEDY TO: REP. PESTINGER
TARGET: LJ73 SUBJ: ACADEMY OF PEACE PAGE 0002

I SPOKE WITH RIP SULLIVAN OF THE NATIONAL PEACE ACADEMY CAMPAIGN. HE SAID THAT ALTHOUGH THE ACADEMY'S OPTIONS FOR SPACE WOULD INCLUDE CONSTRUCTION, RENTING, AND LEASING SPACE, SEVERAL UNIVERSITIES HAVE OFFERED THEM SPACE FREE OF CHARGE.

RIP IS GOING TO SEND US SOME BACKGROUND MATERIAL THAT WE SHOULD BE ABLE TO FORWARD IN A DAY OR SO. UNTIL THAT ARRIVES, THE NATIONAL ACADEMY OF PEACE CAMPAIGN EXISTS SOLELY FOR THE PASSAGE OF THIS LEGISLATION. IT'S MEMBERSHIP EXTENDS TO ALL FIFTY STATES AND INCLUDES 35,000 MEMBERS. IT'S POSITION ON THE TWO BILLS INTRODUCED IS THAT THEY WOULD LIKE TO SEE PASSAGE IN BOTH HOUSES AND EXPECT THAT THE DOLLAR DIFFERENCES WILL BE RESOLVED.

ALASKA STATE LEGISLATURE

SENATE STATE AFFAIRS COMMITTEE

SENATOR VIC FISCHER, CHAIRMAN

POUCH V, JUNEAU 99811

(907) 465-4954



April 14, 1983
3:00 p.m.

Butrovich Room
Capitol Bldg.

Members Present

Senator Vic Fischer, Chair
Senator Bill Ray, Vice Chair
Senator Arliss Sturgulewski
Senator Pat Rodey
Senator Tim Kelly

HB 79--Peremptory challenge of judges

Representative Fritz (prime sponsor) read a prepared statement in favor of the bill. He gave a history of peremptory challenge statute and discussed the situation in Homer where Judge Hornaday has been removed from up to 80% of his cases by defense attorneys, allegedly in response to tough drunk driving sentences handed down by Hornaday.

Senator Ray moved and asked unanimous consent that the bill be waived to the next committee of referral (Judiciary). There was no objection.

SB 220--Establishing a capital projects advisory commission

Senator Josephson (prime sponsor) testified in favor of the bill. He stated that this bill was modeled after a successful New Jersey statute. He observed that many legislators, the governor and the public have problems with the current method of allocating capital projects whereby each house of the legislature and the Governor have absolute discretion to pick projects equal to 1/3 of the revenues available. He read a letter from the Governor in support of the concept presented in the bill.

Senator Fischer commented that the time-frames in the bill did not mesh with the budget process. Senator Josephson said that he was not opposed to improving the mechanics of the legislation.

Senator Kelly was of the opinion that an appointed commission would not necessarily make better decisions than an elected 60 member legislature.

Senator Sturgulewski said that she felt that this bill was adding another patch to an already unworkable system.

Senator Ray felt that this bill is a "typical text book solution" that looks good on paper but wouldn't work in reality.

Senator Rodey said that he didn't see any other alternative for improving the present system.

Peter McDowell, Director of O.M.B. said that the Governor wholeheartedly supports this legislation in principle but that the details would have to worked out. He did not favor the creation of another Commission, however.

No action was taken on the bill.

SB 218--Disclosure of Information

Senator Kelly thinks this bill may open up legislative files for inspection. He suggested that the bill be amended to keep the existing disclosure law.

Senator Ray moved and asked unanimous consent to adopt a committee substitute which incorporated Sen. Kelly's suggestion and to move the CS with individual recommendations. There was no objection.

SB 48--Adoption of state retirement regulations

Ken Humphries, Director of the Division of Retirement and Benefits said that he thinks the bill is unnecessary since his division is promulgating regulations to address the problem, however, he doesn't object to the bill.

Senator Fischer proposed a committee substitute.

Senator Ray moved and asked unanimous consent to adopt the committee substitute and to pass the bill from committee with individual recommendations.

SJR 22--Supporting establishment of a U.S. Academy of Peace

Senator Fischer suggested that the words "and conflict resolution" be stricken from the bill to conform to the language used in the congressional legislation which this resolution supports.

A general discussion followed concerning the sponsorship of the congressional legislation. Some committee members did not want to be associated with certain well known liberal senators and other committee members did not want to be associated with certain conservative senators. It was noted that Senator Murkowski is prime sponsor of the congressional legislation.

Senator Ray moved and asked unanimous consent that a committee substitute incorporating Sen. Fischer's suggestion be adopted and passed from the committee with individual recommendations. There was no objection.

HCR 28--Establishing George A. Parks Day

Senator Ray moved and asked unanimous consent that the bill pass from committee with a do pass recommendation. There was no objection.

The meeting was adjourned at 4:30 p.m.

Introduced: 3/28/83
Referred: State Affairs

CR.

1 IN THE SENATE

BY V.FISCHER

2

SENATE JOINT RESOLUTION NO. 22

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

Relating to the establishment of the

6

United States Academy of Peace [and

7

Conflict Resolution.]

8

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9

WHEREAS people throughout Alaska are concerned about the rise in
10 social and cultural hostilities, the increasing incidence of violent con-
11 flicts among nations and peoples, and the ever-present threat of nuclear
12 war; and

13

WHEREAS there is a need to promote nonviolent methods of resolving
14 human conflict; and

15

WHEREAS conflict resolution techniques have repeatedly been demon-
16 strated to provide a constructive, cost-effective means of resolving poten-
17 tially violent human conflicts; and

18

WHEREAS S.564 co-sponsored by Senator Frank Murkowski and H.R.1249,
19 now pending in Congress, would establish the United States Academy of Peace
20 [and Conflict Resolution], which would serve to advance international peace
21 through the development and implementation of programs to promote the use
22 of conflict resolution techniques in international conflicts;

23

BE IT RESOLVED by the Alaska State Legislature that the Congress of
24 the United States is urged to enact S.564 and H.R.1249 to establish a
25 United States Academy of Peace [and Conflict Resolution] to serve the people
26 and government by providing education and training programs, basic and
27 applied research opportunities, and peace information services.

28

COPIES of this resolution shall be sent to the Honorable Ronald
29 Reagan, President of the United States; the Honorable Casper Weinberger,

1 Secretary of Defense; the Honorable George Bush, Vice-President of the
2 United States and President of the U.S. Senate; the Honorable Thomas P.
3 O'Neill, Jr., Speaker of the U.S. House of Representatives; and to the
4 Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and
5 the Honorable Don Young, U.S. Representative, members of the Alaska delega-
6 tion in Congress.

ALASKA NURSES ASSOCIATION

R E S O L U T I O N

Regarding

A RESOLUTION IN SUPPORT OF
ESTABLISHING AN ACADEMY FOR PEACE

- WHEREAS, The United States has Army, Air Force and Naval Academies dedicated to the nation's defense and to teaching the strategy of war, and
- WHEREAS, A nation which speaks to the world as an advocate of peace has to date no Academy of Peace to signify its belief, and
- WHEREAS, A National Peace Academy would be dedicated to "Waging Peace", determining causes of war and would teach how to manage conflict constructively through education, training and modern techniques and would demonstrate to the world the belief that peace is attainable, and
- WHEREAS, The Congress has initiated bills for the establishment of a National Peace Academy which in 1982 had 56 sponsors in the U.S. Senate and 137 sponsors in the House of Representatives, and
- WHEREAS, Senator Frank Murkowski of Alaska co-sponsored the above legislation, and
- WHEREAS, The nurses of Alaska are dedicated to the cause of peace and have the belief that efforts toward "Waging Peace" should be invested by our government,
- THEREFORE THE ALASKA NURSES ASSOCIATION urges the Alaska State Legislature to support by resolution, the United States Congress' legislation to establish a National Peace Academy, and
- FURTHER, Urge the Alaska State Delegation to the U.S. Congress to support bills in the Congress to establish a National Academy of Peace.

Adopted by House of Delegates
Alaska Nurses Association
18 March 1983

Copies to: Alaska Legislature
Senator Ted Stevens
Senator Frank Murkowski
Representative Don Young

98TH CONGRESS
1ST SESSION

S. 564

To establish the United States Academy of Peace, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 1983

Mr. MATSUNAGA (for himself, Mr. RANDOLPH, Mr. HATFIELD, Mr. JEPSEN, Mr. STAFFORD, Mr. BYRD, Mr. ANDREWS, Mr. BAUCUS, Mr. BIDEN, Mr. BINGAMAN, Mr. BOSCHWITZ, Mr. BRADLEY, Mr. BUMPERS, Mr. BURDICK, Mr. CHAFEE, Mr. CHILES, Mr. COCHRAN, Mr. CRANSTON, Mr. DANFORTH, Mr. DECONCINI, Mr. DODD, Mr. DURENBERGER, Mr. EAGLETON, Mr. EXON, Mr. FORD, Mr. HART, Mr. HEINZ, Mr. HUDDLESTON, Mr. INOUE, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LONG, Mr. MATHIAS, Mr. MELCHER, Mr. METZENBAUM, Mr. MITCHELL, Mr. MOYNIHAN, Mr. MURKOWSKI, Mr. PELL, Mr. PRESSLER, Mr. PRYOR, Mr. RIEGLE, Mr. ROTH, Mr. SARBANES, Mr. SASSER, Mr. SIMPSON, Mr. SPECTER, Mr. STENNIS, and Mr. TSONGAS) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To establish the United States Academy of Peace, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That this Act may be cited as the "United States Academy
- 4 of Peace Act".

1 DECLARATION OF FINDINGS AND PURPOSES

2 SEC. 2. (a) The Congress finds and declares that—

3 (1) a living institution embodying the heritage,
4 ideals, and concerns of the American people for peace
5 would be a significant response to the deep public need
6 for the Nation to develop fully a range of effective op-
7 tions, in addition to armed capacity, that can leash in-
8 ternational violence and manage international conflict;9 (2) people throughout the world are fearful of nu-
10 clear war, are divided by war and threats of war, are
11 experiencing social and cultural hostilities from rapid
12 international change and real and perceived conflicts
13 over interests, and are diverted from peace by the lack
14 of problem-solving skills for dealing with such conflicts;15 (3) many potentially destructive conflicts among
16 nations and peoples have been resolved constructively
17 and with cost efficiency at the international, national,
18 and community levels through proper use of such tech-
19 niques as negotiation, conciliation, mediation, and arbi-
20 tration;21 (4) there is a national need to examine the disci-
22 plines in the social, behavioral, and physical sciences
23 and the arts and humanities with regard to the history,
24 nature, elements, and future of peace processes, and to
25 bring together and develop new and tested techniques

1 to promote peaceful economic, political, social, and cul-
2 tural relations in the world;

3 (5) the peacemaking activities of Americans
4 throughout government, private enterprise, and volun-
5 tary associations can be strengthened by a national in-
6 stitution devoted to international peace research, edu-
7 cation and training, and information services;

8 (6) there is a need for Federal leadership to
9 expand and support the existing international peace
10 and conflict resolution efforts of the Nation and to de-
11 velop new comprehensive peace education and training
12 programs, basic and applied research projects, and pro-
13 grams providing peace information;

14 (7) the Commission on Proposals for the National
15 Academy of Peace and Conflict Resolution, created by
16 the Education Amendments of 1978, recommended es-
17 tablishing an academy as a highly desirable investment
18 to further the Nation's interest in promoting interna-
19 tional peace;

20 (8) an academy, strengthening and symbolizing
21 the fruitful relation between the world of learning and
22 the world of public affairs, would be the most efficient
23 and immediate means for the Nation to enlarge its ca-
24 pacity to promote the peaceful resolution of interna-
25 tional conflicts; and

1 (9) the establishment of an academy is an appro-
2 priate investment by the people of this Nation to ad-
3 vance the history, science, art, and practice of interna-
4 tional peace and the resolution of conflicts among na-
5 tions without the use of violence.

6 (b) It is the purpose of this Act to establish an independ-
7 ent, nonprofit, national institution to serve the people and the
8 Government through the widest possible range of education
9 and training, basic and applied research opportunities, and
10 peace information services on the means to promote interna-
11 tional peace and the resolution of conflicts among the nations
12 and peoples of the world without recourse to violence.

13 DEFINITIONS

14 SEC. 3. As used in this Act, the term—

15 (1) "Academy" means the United States Acade-
16 my of Peace established under this Act;

17 (2) "Board" means the Board of Directors of the
18 Academy; and

19 (3) "Center" means the Center for International
20 Peace of the Academy.

21 ESTABLISHMENT

22 SEC. 4. (a) There is hereby established the United
23 States Academy of Peace.

24 (b) The Academy is an independent nonprofit corpora-
25 tion and an organization as defined in section 170(c)(2)(B) of

1 the Internal Revenue Code of 1954. The Academy does not
2 have the power to issue any shares of stock or to declare or
3 pay any dividends. No part of the financial resources, income,
4 or assets of the Academy or of any legal entity established by
5 the Academy may inure to the benefit of a director, officer,
6 employee, or agent of the Academy, except as reasonable
7 compensation for service or payment for expenses.

8 (c) The Academy shall maintain its principal office in
9 the District of Columbia with a designated agent or agents to
10 accept service of process for the corporation. Notice to or
11 service upon an agent shall be deemed notice to or service
12 upon the Academy.

13 (d) The Academy may rent, lease, purchase, or receive
14 and hold in its name property for offices, schools, and other
15 facilities and to carry out activities under this Act. As deter-
16 mined by the Board, the Academy may establish offices,
17 schools, and other facilities outside the District of Columbia
18 for purposes not inconsistent with this Act.

19 (e) As determined by the Board, the Academy may es-
20 tablish, under the laws of the District of Columbia, a legal
21 entity which is capable of receiving, holding, and investing
22 public and private funds for purposes in furtherance of the
23 Academy under this Act. The Academy may designate such
24 legal entity as the "Endowment of the United States Acad-
25 emy for Peace".

1 (f) The Academy is liable for the acts of its directors,
2 officers, employees, and agents when acting within the scope
3 of their authority.

4 (g)(1) The Academy has the sole and exclusive right to
5 use and to allow or refuse others the use of the terms
6 "United States Academy of Peace", "Center for Internation-
7 al Peace", and "Endowment of the United States Academy
8 of Peace" and the use of any official United States Academy
9 of Peace emblem, badge, seal, and other mark of recognition
10 or any colorable simulation thereof. No powers or privileges
11 hereby granted shall interfere or conflict with established or
12 vested rights secured as of September 1, 1981.

13 (2) Notwithstanding any other provision of this Act, the
14 Academy may use "United States" or "U.S." or any other
15 reference to the United States Government or Nation in its
16 title or in its corporate seal, emblem, badge, or other mark of
17 recognition or colorable simulation thereof in any fiscal year
18 only if there is an authorization of appropriations for the
19 Academy for such fiscal year provided by law.

20 POWERS AND DUTIES

21 SEC. 5. (a) The Academy may exercise the powers con-
22 ferred upon a nonprofit corporation by the District of Colum-
23 bia Nonprofit Corporation Act consistent with this Act,
24 except for section 5(o) of the District of Columbia Nonprofit

1 Corporation Act (section 1705(o) of title 29 of the District of
2 Columbia Code).

3 (b) The Academy may—

4 (1) establish a Center for International Peace and
5 appoint to it for periods up to two years scholars and
6 leaders in peace from the United States and abroad to
7 pursue scholarly inquiry and other appropriate forms of
8 communication on international peace and conflict reso-
9 lution and, as appropriate, provide stipends, grants,
10 fellowships, and other support to the leaders and
11 scholars;

12 (2) establish such divisions, programs, schools, and
13 offices as the Board deems appropriate to carry out
14 this Act;

15 (3) enter into formal and informal relationships
16 with other institutions, public and private, for purposes
17 not inconsistent with this Act;

18 (4) conduct research and make studies, particular-
19 ly of an interdisciplinary or of a multidisciplinary
20 nature, into the causes of war and other international
21 conflicts and the elements of peace among the nations
22 and peoples of the world, including peace theories,
23 methods, techniques, programs, and systems, and into
24 the experiences of the United States and other nations
25 in resolving conflicts with justice and dignity and with-

1 out violence as they pertain to the advancement of in-
2 ternational peace and conflict resolution;

3 (5) develop programs to make international peace
4 and conflict resolution research, education, and training
5 more available and useful to persons in government,
6 private enterprise, and voluntary associations, includ-
7 ing the creation of handbooks and other practical
8 materials;

9 (6) provide peace education and research pro-
10 grams at graduate and postgraduate levels that lead to
11 degrees as well as to certificates and other forms of
12 recognition;

13 (7) conduct training, symposia, and continuing
14 education programs for practitioners, policymakers,
15 policy implementers, and citizens and noncitizens di-
16 rected to developing their skills in international peace
17 and conflict resolution;

18 (8) develop, for publication or other public com-
19 munication, and disseminate, the products of the Acad-
20 emy;

21 (9) establish a clearinghouse and other means for
22 disseminating information from the field of peace learn-
23 ing to the public and to government personnel;

24 (10) establish a United States Medal of Peace,
25 and any other medals or honors the Board periodically

1 may recommend, to be awarded annually with appro-
2 priate ceremony by the President of the United States,
3 upon recommendation to the President by the Board,
4 to one or more individuals or groups deserving of ex-
5 emplary recognition for personal or group contribution
6 to international peace education, training, or research.
7 A medal shall be accompanied by a cash award in an
8 amount determined by the Board to be paid in accord-
9 ance with section 10(b)(2). A person associated with
10 the Academy may receive a medal or other award; and

11 (11) secure directly and without reimbursement,
12 upon request of the president of the Academy to the
13 head of any Federal department or agency, information
14 necessary to enable the Academy to carry out the pur-
15 poses of this Act if such release of the information
16 would not unduly interfere with the proper functioning
17 of a department or agency.

18 (c) The Academy may undertake extension and outreach
19 activities under this Act by making grants and entering into
20 contracts with institutions of postsecondary, community, sec-
21 ondary, and elementary education including combinations of
22 such institutions, with public and private educational, train-
23 ing, or research institutions including libraries, and with
24 public departments and agencies including State and territori-
25 al departments of education and of commerce. No grant may

1 be made to an institution unless it is a nonprofit or official
2 public institution. A grant or contract may be made to—

3 (1) initiate, strengthen, and support basic and ap-
4 plied research on international peace and conflict reso-
5 lution;

6 (2) promote and advance the study of international
7 peace and conflict resolution by educational, training,
8 and research institutions, departments, and agencies;

9 (3) educate the Nation about and educate and
10 train individuals in peace and conflict resolution the-
11 ories, methods, techniques, programs, and systems;

12 (4) assist the Academy in its publication, clearing-
13 house, and other information services programs; and

14 (5) promote the other purposes of this Act.

15 (d) The Academy may respond to the request of a de-
16 partment or agency of the United States Government to in-
17 vestigate, examine, study, and report on any issue within the
18 Academy's competence. A research request may be refused
19 for reason of cost or of inappropriateness to the Academy's
20 purposes or independence.

21 (e) The Academy may enter into contracts for the
22 proper operation of the Academy, including maintenance of
23 its offices, schools, and other facilities.

24 (f) The Academy may appoint and fix the compensation
25 and duties of officers, employees, and agents and establish

1 such advisory committees, councils, or other bodies as the
2 efficient administration of the business and purposes of the
3 Academy may require.

4 (g) The Academy may adopt, amend, and alter bylaws,
5 not inconsistent with the laws of the United States and the
6 District of Columbia, for the management of Academy prop-
7 erty and the regulation of Academy affairs.

8 (h) The Academy may obtain grants and contracts and
9 receive gifts and contributions from government at all levels,
10 international organizations, and private agencies, organiza-
11 tions, institutions, and individuals.

12 (i) The Academy may charge and collect subscription
13 fees and develop, for publication or other public communica-
14 tion, and disseminate, periodicals and other materials.

15 (j) The Academy may charge and collect fees and other
16 participation costs from persons and institutions participating
17 in the Academy's direct activities authorized in subsection
18 (b).

19 (k) The Academy may sue and be sued, complain, and
20 defend in any court of competent jurisdiction.

21 (l) The Academy may adopt, alter, use, and display a
22 corporate seal, emblem, badge, and other mark of recognition
23 and colorable simulations thereof.

1 (m) The Academy may do any and all lawful acts and
2 things necessary or desirable to carry out the objectives and
3 purposes of this Act.

4 (n) The Academy shall not itself undertake to influence
5 the passage or defeat of any legislation by the Congress of
6 the United States or by any State or local legislative bodies,
7 or by the United Nations, except that personnel of the Acad-
8 emy may testify or make other appropriate communication
9 when formally requested to do so by a legislative body, a
10 committee, or a member thereof.

11 BOARD OF DIRECTORS

12 S.L.C. 6. (a) The powers of the Academy shall be vested
13 in a Board of Directors unless otherwise specified in this Act.

14 (b) The Board of Directors shall consist of fifteen mem-
15 bers appointed as follows:

16 (1) two Members of the Senate, one from each of
17 the major political parties, to be appointed by the
18 President pro tempore of the Senate no later than five
19 days after the confirmation of the members nominated
20 by the President;

21 (2) two Members of the House of Representatives,
22 one from each of the major political parties, to be ap-
23 pointed by the Speaker of the House of Representa-
24 tives no later than five days after the confirmation of
25 the members nominated by the President; and

1 (3) eleven persons, no more than six of whom
2 may be members of the same political party and none
3 of whom may be employees of the Federal Govern-
4 ment, appointed by the President, by and with the
5 advice and consent of the Senate. Not later than ninety
6 days after the date of enactment of this Act, the Presi-
7 dent shall nominate the eleven individuals for the ini-
8 tial Board and transmit their names and any other in-
9 formation to the Senate. If the Senate fails to confirm
10 a nominee, it shall so inform the President. The Presi-
11 dent shall submit the name of a new nominee within
12 fifteen days of notice of rejection by the Senate.

13 (c) A director shall take an oath of office administered
14 by the Vice President of the United States within two weeks
15 after appointment, if a Member of Congress, or after confir-
16 mation by the Senate, if a Presidential appointee.

17 (d) Members of the Board of Directors shall serve the
18 following terms of office:

19 (1) A Member of Congress appointed to the Board
20 shall serve for a single term of six years and only
21 while serving as a Member of Congress.

22 (2) When submitting nominations for the initial
23 Board, the President shall stipulate by name four di-
24 rectors who shall serve for five-year terms, four direc-
25 tors who shall serve for four-year terms, and three di-

1 rectors who shall serve for three-year terms. Thereaf-
2 ter, each Presidential appointee, except for a director
3 appointed to fill an unexpired term, shall serve for a
4 five-year term. No Presidential appointee may serve on
5 the Board for more than ten years.

6 (3) No person may be appointed to less than a full
7 term unless appointed to fill an unexpired term.

8 (e) Whenever a vacancy occurs on the Board before the
9 expiration of a director's term of office, the vacancy shall be
10 filled—

11 (1) if a Member of Congress, pursuant to para-
12 graph (1) or (2) of subsection (b) with the appointment
13 made to a full term no later than thirty calendar days
14 after the vacancy occurs; or

15 (2) if a Presidential appointee, by the Board sub-
16 mitting a list of nominees of no less than three and no
17 more than five names to the President no later than
18 thirty calendar days after the vacancy occurs. The
19 President shall select a nominee from the list and
20 submit the nominee's name to the Senate for confirma-
21 tion no later than thirty calendar days after receiving
22 the Board's recommendations.

23 (f) At least ninety days but no more than one hundred
24 and twenty days before the timely expiration of the term of
25 office of any Presidential appointee to the Board, the Board

1 shall submit to the President a list of no less than three and
2 no more than five recommendations for each position. The
3 President shall submit the name of the nominee for each posi-
4 tion, selected from the Board's list of recommendations, to
5 the Senate for confirmation at least forty-five calendar days
6 before expiration of the term of office to be filled.

7 (g) A director may be removed from the Board as
8 follows:

9 (1) A member of the Board appointed from the
10 Congress may be removed by the appointing authority
11 for malfeasance in office, persistent neglect of duties,
12 or inability to discharge duties.

13 (2) A member of the Board appointed by the
14 President may be removed by the President—

15 (A) in consultation with the Board, for con-
16 viction of a felony, malfeasance in office, persist-
17 ent neglect of duties, or inability to discharge
18 duties;

19 (B) upon the recommendation of ten mem-
20 bers of the Board; or

21 (C) upon the recommendation of a majority
22 of the members of the Committee on Foreign Af-
23 fairs and the Committee on Education and Labor
24 of the House of Representatives and a majority of
25 the members of the Committee on Foreign Rela-

1 tions and the Committee on Labor and Human
2 Resources of the Senate.

3 A recommendation made in accordance with clause (B)
4 may be made only pursuant to action taken at a meet-
5 ing of the Board, which may be closed pursuant to the
6 procedures of subsection (i). Only members who are
7 present may vote. A record of the vote shall be main-
8 tained. The President shall be informed immediately by
9 the Board of the recommendation. If the President re-
10 moves the member based on any of the grounds de-
11 scribed in clauses (A) through (C), the President shall
12 nominate a successor pursuant to subsection (e).

13 (h) No member of the Board may participate in any de-
14 cision, action, or recommendation with respect to any matter
15 which directly and financially benefits the member or pertains
16 specifically to any public body or any private or nonprofit
17 firm or organization with which the member is then formally
18 associated or has been formally associated within a period of
19 two years.

20 (i) Meetings of the Board shall be conducted as follows:

21 (1) The President shall stipulate by name the
22 nominee who shall be the first Chairman of the Board.
23 The first Chairman shall serve for a term of three
24 years. Thereafter, the Board shall elect a Chairman
25 every three years from among the directors appointed

1 subsection (c) of section 552b of title 5, United States
2 Code.

3 (j) A director appointed by the President shall be enti-
4 tled to receive the daily equivalent of the annual rate of basic
5 pay in effect for grade GS-18 of the General Schedule in
6 section 5332 of title 5, United States Code, for each day
7 during which the director is engaged in the performance of
8 duties as a member of the Board.

(k) While away from his home or regular place of busi-
10 ness in the performance of duties for the Academy, a director
11 shall be allowed travel expenses, including a per diem in lieu
12 of subsistence, not to exceed the expenses allowed persons
13 employed intermittently in Government service under section
14 5703(b) of title 5, United States Code.

15 OFFICERS AND EMPLOYEES OF THE ACADEMY

16 SEC. 7. (a) The Board shall appoint the president of the
17 Academy and such other officers as the Board determines to
18 be necessary. The president shall be a nonvoting ex officio
19 member of the Board. All officers shall serve at the pleasure
20 of the Board. The president shall be appointed for an explicit
21 term of years. Notwithstanding any other provision of law
22 limiting the payment of compensation, the president and
23 other officers appointed by the Board shall be compensated at
24 rates determined by the Board, but no greater than those

1 provided for by level I of the Executive Schedule of chapter
2 53 of title 5, United States Code.

3 (b) The Board shall authorize the president and any
4 other officials or employees it designates to receive and dis-
5 burse public and private moneys, obtain and make grants,
6 enter into contracts, establish and collect fees, issue certifi-
7 cates and other honorifics, and undertake all other activities
8 necessary for the efficient and proper functioning of the
9 Academy.

10 (c) The president, subject to Academy bylaws and gen-
11 eral policies established by the Board, may appoint, fix the
12 compensation of, and remove such employees of the Academy
13 as the president determines necessary to carry out the pur-
14 poses of the Academy. In determining employee rates of
15 compensation, the president shall be guided by the provisions
16 of title 5, United States Code, relating to classification and
17 General Schedule pay rates.

18 (d) The president may request the assignment of any
19 Federal officer or employee to the Academy by an appropri-
20 ate department, agency, or congressional official or Member
21 of Congress and may enter into agreement for such assign-
22 ment, if the affected officer or employee agrees to such as-
23 signment and such assignment causes no prejudice to the
24 salary, benefits, status, or advancement within the de-

1 partment, agency, or congressional staff of such officer or
2 employee.

3 (e) No officer or full-time employee of the Academy may
4 receive any salary or other compensation for services from
5 any source other than the Academy during the officer's or
6 employee's period of employment by the Academy, except as
7 authorized by the Board.

8 (f) Officers and employees of the Academy shall not be
9 considered officers and employees of the Federal Government
10 except for purposes of the provisions of title 28, United
11 States Code, which relate to Federal tort claims liability, and
12 the following provisions of title 5 of the United States Code:
13 subchapter I of chapter 81 (relating to compensation for work
14 injuries); chapter 83 (relating to civil service retirement);
15 chapter 87 (relating to life insurance); and chapter 89 (relat-
16 ing to health insurance). The Academy shall make contribu-
17 tions at the same rates applicable to agencies of the Federal
18 Government under the provisions of title 5 referred to in this
19 section.

20 (g) No part of the income or assets of the Academy or of
21 any legal entity created by the Academy shall inure to any
22 agent, employee, officer, or director or be distributable to any
23 such person during the life of the corporation or upon dissolu-
24 tion or final liquidation. Nothing in this section may be con-
25 strued to prevent the payment of reasonable compensation for

1 services or expenses to the directors, officers, employees, and
2 agents of the Academy in amounts approved in accordance
3 with the provisions of this Act.

4 (h) The Academy shall not make loans to its directors,
5 officers, employees, or agents, or to any legal entity created
6 by the Academy. A director, officer, employee, or agent who
7 votes for or assents to the making of a loan or who partici-
8 pates in the making of a loan shall be jointly and severally
9 liable to the Academy for the amount of the loan until repay-
10 ment thereof.

11 PROCEDURES AND RECORDS

12 SEC. 8. (a) The Academy shall monitor and evaluate
13 and provide for independent evaluation if necessary of pro-
14 grams supported in whole or in part under this Act to ensure
15 that the provisions of this Act and the bylaws, rules, regula-
16 tions, and guidelines promulgated pursuant to this Act are
17 adhered to.

18 (b) The Academy shall prescribe procedures to ensure
19 that grants, contracts, and financial support under this Act
20 are not suspended unless the grantee, contractor, or person
21 or entity receiving financial support has been given reason-
22 able notice and opportunity to show cause why the action
23 should not be taken.

24 (c) In selecting persons to participate in Academy activ-
25 ities, the Academy may consider a person's practical experi-

1 ence or equivalency in peace study and activity as well as
2 other formal requirements.

3 (d) The Academy shall keep correct and complete books
4 and records of account, including separate and distinct ac-
5 counts of receipts and disbursements of Federal funds and of
6 non-Federal funds. The Academy's annual financial report
7 shall identify the use of each source of funding and shall pre-
8 sent a clear description of the full financial situation of the
9 Academy. Nothing in this section prevents the Academy from
10 using Federal and non-Federal funds together in any grant,
11 contract, program, or other expenditure of the Academy con-
12 sistent with this Act.

13 (e) The Academy shall keep minutes of the proceedings
14 of its Board and of any committees having authority under
15 the Board.

16 (f) The Academy shall keep at its principal office a
17 record of the names and addresses of its Board members;
18 copies of this Act, of any other Acts relating to the Academy,
19 and of all Academy bylaws, rules, regulations, and guide-
20 lines; required minutes of proceedings; a record of all applica-
21 tions and proposals and issued or received contracts and
22 grants; and financial records of the Academy. All items re-
23 quired by this subsection may be inspected by any Board
24 member or the member's agent or attorney for any proper
25 purpose at any reasonable time.

1 (g) The accounts of the Academy shall be audited annu-
2 ally in accordance with generally accepted auditing standards
3 by independent certified public accountants or independent
4 licensed public accountants, certified or licensed by a regula-
5 tory authority of a State or other political subdivision of the
6 United States. The audit shall be conducted at the place or
7 places where the accounts of the Academy are normally kept.
8 All books, accounts, financial records, files, and other papers,
9 things, and property belonging to or in use by the Academy
10 and necessary to facilitate the audit shall be made available
11 to the person or persons conducting the audit, and full facili-
12 ties for verifying transactions with the balances or securities
13 held by depositories, fiscal agents, and custodians shall be
14 afforded to such person or persons.

15 (h) The Academy shall provide a report of the audit to
16 the President of the United States and to each House of Con-
17 gress no later than six months following the close of the fiscal
18 year for which the audit is made. The report shall set forth
19 the scope of the audit and include such statements, together
20 with the independent auditor's opinion of those statements, as
21 are necessary to present fairly the Academy's assets and li-
22 abilities, surplus or deficit, with reasonable detail, including a
23 statement of the Academy's income and expenses during the
24 year including a schedule of all contracts and grants requiring
25 payments in excess of \$5,000 and any payments of compen-

1 sation, salaries, or fees at a rate in excess of \$5,000 per
2 annum. The report shall be produced in sufficient copies for
3 the public.

4 (i) The Academy and its directors, officers, employees,
5 and agents shall be subject to the provisions of section
6 552 of title 5, United States Code (relating to freedom of
7 information).

8 INDEPENDENCE AND LIMITATIONS

9 SEC. 9. (a) Except as otherwise provided in this Act,
10 the Academy shall not be considered a department, agency,
11 or instrumentality of the Federal Government. Nothing in
12 this Act may be construed as limiting the authority of the
13 Office of Management and Budget to review and submit com-
14 ments on the Academy's budget request at the time it is
15 transmitted to the Congress.

16 (b) No political test or political qualification may be used
17 in selecting, appointing, promoting, or taking any other per-
18 sonnel action with respect to any officer, employee, agent, or
19 recipient of Academy funds or services or in selecting or
20 monitoring any grantee, contractor, person, or entity receiv-
21 ing financial assistance under this Act.

22 FUNDING

23 SEC. 10. (a) For the purpose of purchasing, leasing,
24 renting, or otherwise acquiring and improving a suitable site
25 for a principal office for the Academy, the Center for Interna-

1 tional Peace, and for the legal entity authorized to be estab-
2 lished under section 4 of this Act, in or within easy reach of
3 the District of Columbia, there are authorized to be appropri-
4 ated on or after October 1, 1983, to the Academy a capital-
5 ization fund of \$15,000,000 which shall remain available to
6 the Academy without regard to fiscal year limitations.

7 (b)(1) For the purpose of establishing the programs and
8 administering the affairs of the Academy as authorized by
9 this Act (except for paragraph (10) of section 5(b)), there are
10 authorized to be appropriated for the fiscal year 1984,
11 \$6,000,000 and for the fiscal year 1985, \$10,000,000.
12 Monies appropriated for the fiscal year 1984 shall remain
13 available to the Academy through the fiscal year 1985.

14 (2) Any necessary expenses incurred by the Academy in
15 establishing or awarding a United States Medal of Peace or
16 in making a cash award in connection with the awarding of
17 such medal under paragraph (10) of section 5(b) shall be paid
18 out of the private funds of the legal entity established under
19 section 4(e).

20 (c) The Board of Directors may transfer to the legal
21 entity authorized to be established under section 4(e) any
22 funds not obligated or expended from appropriations to the
23 Academy for a fiscal year, and such funds shall remain avail-
24 able for obligation or expenditure for the purposes of such
25 legal entity without regard to fiscal year limitations. Any use

1 by such legal entity of appropriated funds shall be reported to
2 each House of the Congress and to the President of the
3 United States.

4 (d) Any authority provided by this Act to make con-
5 tracts shall be effective for a fiscal year only to such extent or
6 in such amounts as are provided in appropriation Acts.

7 **DISSOLUTION OR LIQUIDATION**

8 **SEC. 11.** Upon dissolution or final liquidation of the
9 Academy or of any legal entity created pursuant to this Act,
10 all income and assets of the corporation or other legal entity
11 shall revert to the Treasury of the United States.

12 **REPORTING REQUIREMENT AND REQUIREMENT TO HOLD**

13 **HEARINGS**

14 **SEC. 12.** Beginning two years after the date of enact-
15 ment of this Act, and at intervals of two years thereafter, the
16 Chairman of the Board of Directors of the Academy shall
17 prepare and transmit to the Congress and the President a
18 report detailing the progress the Academy has made in carry-
19 ing out the purposes of this Act during the preceding two-
20 year period. The President shall prepare and transmit to the
21 Congress within a reasonable time after the receipt of such
22 report the written comments and recommendations of the ap-
23 propriate agencies of the United States with respect to the
24 contents of such report and their recommendations with re-
25 spect to any legislation which may be required concerning

1 the Academy. After receipt of such report by the Congress,
2 the Committee on Foreign Affairs and the Committee on
3 Education and Labor of the House of Representatives and
4 the Committee on Foreign Relations and the Committee on
5 Labor and Human Resources of the Senate shall hold hear-
6 ings to review the findings and recommendations of such
7 report and the written comments received from the Presi-
8 dent.

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