

Public Law 98-399
98th Congress

An Act

To establish a commission to assist in the first observance of the Federal legal holiday honoring Martin Luther King, Jr.

Aug. 27, 1984

[H.R. 5890]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that—

(1) January 20, 1986, marks the first observance of the Federal legal holiday, established by Public Law 98-144, honoring the birthday of Martin Luther King, Jr.;

97 Stat. 917.
5 USC 6103.

(2) such holiday should serve as a time for Americans to reflect on the principles of racial equality and nonviolent social change espoused by Martin Luther King, Jr.; and

(3) it is appropriate for the Federal Government to coordinate efforts with Americans of diverse backgrounds and with private organizations in the first observance of the Federal legal holiday honoring Martin Luther King, Jr.

SEC. 2. There is established a commission to be known as the Martin Luther King, Jr. Federal Holiday Commission (hereinafter in this Act referred to as the "Commission").

Martin Luther
King, Jr.
Federal
Holiday
Commission,
establishment.

SEC. 3. The purposes of the Commission are—

(1) to encourage appropriate ceremonies and activities throughout the United States relating to the first observance of the Federal legal holiday honoring Martin Luther King, Jr., which occurs on January 20, 1986; and

(2) to provide advice and assistance to Federal, State, and local governments and to private organizations with respect to the observance of such holiday.

SEC. 4. (a) The Commission shall be composed of—

(1) four officers from the executive branch, appointed by the President;

(2) four Members of the House of Representatives, appointed by the Speaker of the House of Representatives in consultation with the minority leader of the House of Representatives;

(3) four Senators, appointed by the President pro tempore of the Senate in consultation with the majority and minority leaders of the Senate;

(4) Coretta Scott King and two other members of the family surviving Martin Luther King, Jr., appointed by such family;

(5) two individuals representing the Martin Luther King, Jr. Center for Non-Violent Social Change (a not-for-profit organization incorporated in the State of Georgia), appointed by such organization; and

(6) fourteen individuals other than officers or employees of the United States or Members of Congress, appointed by the members of the Commission under paragraphs (1) through (5) of this subsection from among individuals representing diverse interest groups, including individuals representing labor, business, civil rights, and religious groups, and entertainers.

(b) Not more than half of the members of the Commission appointed under each of paragraphs (2), (3), (5), and (6) of subsection (a) shall be of the same political party.

(c) Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(d) Members of the Commission shall serve without pay, but may, subject to section 7, be allowed travel expenses, including per diem in lieu of subsistence, while away from their homes or regular places of business in the performance of services for the Commission.

SEC. 5. (a) The Commission shall first meet within 30 days after the date of the enactment of this Act. At this first meeting the Commission shall elect a chairperson from among its members and shall meet thereafter at the call of the chairperson.

(b) The Commission may encourage the participation of, and accept, use, and dispose of donations of money, property, and personal services from, individuals and public and private organizations to assist the Commission in carrying out its responsibilities under this Act.

5 USC app.

(c) The provisions of the Federal Advisory Committee Act shall not apply to the Commission established under this Act.

SEC. 6. (a) The Commission may appoint a director and a staff of not more than five persons, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. Subject to section 7, the Commission shall set the rates of pay for the director and staff, except that the director may not be paid at a rate in excess of the maximum rate of pay payable for grade GS-18 of the General Schedule under section 5332 of title 5, United States Code, and no staff member may be paid at a rate in excess of the maximum rate of pay payable for grade GS-13 of such General Schedule.

(b)(1) Upon the request of the Commission, the head of any department or agency of the United States may detail, on a non-reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its responsibilities under this Act.

(2) Each head of such department or agency is authorized to cooperate with and assist the Commission in carrying out its responsibilities under this Act.

SEC. 7. All expenditures of the Commission shall be made from donated funds.

SEC. 8. Not later than April 20, 1986, the Commission shall submit a report to the President and the Congress concerning its activities under this Act. Report.

SEC. 9. The Commission shall cease to exist after submitting its report under section 8. Termination.

Approved Aug. 27, 1984.

LEGISLATIVE HISTORY—H.R. 5890:

HOUSE REPORT No. 98-893 (Comm. on Post Office and Civil Service).
CONGRESSIONAL RECORD, Vol. 130 (1984):

July 24, considered and passed House.

Aug. 1, considered and passed Senate, amended.

Aug. 8, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 20, No. 35 (1984):

Aug. 27, Presidential statement.