

Public Law 101-607
101st Congress

An Act

To establish in the Department of the Interior the De Soto Expedition Trail Commission, and for other purposes.

Nov. 16, 1990
[S. 555]

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "De Soto Expedition Trail Commission Act of 1990".

De Soto
Expedition Trail
Commission Act
of 1990.
Research.
Historic
preservation.
16 USC 1244
note.
16 USC 1244
note.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the 450th anniversary of the De Soto expedition and the 500th anniversary of Columbus' landing provide appropriate times for the commemoration of this aspect of American history;

(2) the expedition of Hernando de Soto was the first major European exploration of the interior of the southeastern United States;

(3) the chronicles of the expedition provide a rare description of the native societies encountered by the expedition;

(4) knowledge gained as a result of the expedition contributed significantly to the subsequent exploration and colonization of the region;

(5) discovery of the first winter encampment in Tallahassee, Florida, is the most recent archeological evidence of the De Soto expedition in the United States;

(6) official commemoration of the De Soto expedition will encourage further archeological and historical research, and increase public awareness of the early historic period of the southeastern United States, including the Native American societies the expedition encountered.

(b) PURPOSE.—The purpose of this Act is to establish a Commission to encourage and direct research, and to coordinate the distribution of interpretive materials to the public, regarding the De Soto expedition, the native societies the expedition encountered, and the effects of that contact.

SEC. 3. ESTABLISHMENT.

(a) IN GENERAL.—To carry out the purposes of this Act, there is hereby established in the Department of the Interior the De Soto Expedition Trail Commission (hereinafter in this Act referred to as the "Commission"). The Commission shall exercise its responsibilities and authorities as provided in this Act with respect to that region of the southeastern United States comprising the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Texas (hereinafter in this Act referred to as the "involved States"). The Commission shall

16 USC 1244
note.

State listing.

consist of 19 members, appointed by the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") as follows:

(1) 10 members knowledgeable in the history of Spanish-Native American contact, including the history of the De Soto expedition, appointed from recommendations submitted by the Governors of the involved States, of which one shall represent each State;

(2) 4 members with expertise in the history of the De Soto expedition;

(3) 2 members with knowledge of the Native American societies encountered by the De Soto expedition;

(4) 2 members, one of which shall hold the position of Superintendent, De Soto National Memorial, the other of which shall have knowledge of the history of Spanish colonization of the southeastern United States; and

(5) 1 member appointed from recommendations submitted by the Smithsonian Institution.

(b) **APPOINTMENT.**—All members of the Commission shall be appointed for terms of 4 years.

(c) **CHAIRPERSON.**—The Commission shall elect a chairperson from among its members. The term of the chairperson shall be 2 years.

(d) **TERMS.**—Any member of the Commission appointed for a definite term may serve after the expiration of such term until a successor is appointed. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy shall serve for the remainder of the term for which such member's predecessor was appointed.

(e) **QUORUM.**—A simple majority of Commission members shall constitute a quorum.

(f) **MEETINGS.**—The Commission shall meet at least biannually or at the call of the chairperson or a majority of its members.

(g) **COMPENSATION.**—Members of the Commission shall serve without compensation as such. While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5 of the United States Code.

SEC. 4. FUNCTIONS OF THE COMMISSION.

(a) **IN GENERAL.**—The Commission shall—

(1) assist in the coordination of activities of Federal, State, and local governments and private businesses and organizations in order to further the commemoration of the De Soto expedition;

(2) expeditiously provide the involved States the research performed under section 7 and assist those States in utilizing such research for the public's education;

(3) coordinate the preparation and distribution of interpretive materials relating to the De Soto expedition, including maps and brochures, for the public;

(4) provide advice and assistance to the Secretary with respect to the preparation of contracts and cooperative agreements under section 7; and

(5) consider and provide advice on appropriate means to link together authenticated De Soto expedition and other Spanish Colonial sites.

(b) **ANNUAL REPORTS.**—The Commission shall submit an annual report to the Secretary, and to the Committee on Interior and Insular Affairs of the United States House of Representatives and to Committee on Energy and Natural Resources of the United States Senate, describing the activities of the Commission and the status of public interpretive activities and research undertaken pursuant to this Act.

(c) **EXPIRATION.**—The Commission established pursuant to this Act shall cease to exist 4 years after the date of enactment of this Act.

SEC. 5. STAFF OF THE COMMISSION.

16 USC 1244
note.

(a) **STAFF.**—(1) The Commission shall have the power to appoint and fix the compensation of such staff as may be necessary to carry out its duties.

(2) Staff appointed by the Commission—

(A) shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service; and

(B) shall, subject to the availability of appropriations, be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) **EXPERTS AND CONSULTANTS.**—Subject to such rules as may be adopted by the Commission, the Commission may procure temporary and intermittent services to the same extent as is authorized by section 3109(b) of title 5, United States Code, but at rates determined by the Commission to be reasonable.

(c) **STAFF OF OTHER AGENCIES.**—(1) Upon request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out the Commission's duties.

(2) The Commission may accept the services of personnel detailed from one or more of the involved States (and any political subdivision thereof) and may reimburse the State(s) or political subdivision(s) for those services.

SEC. 6. POWERS OF THE COMMISSION.

16 USC 1244
note.

(a) **IN GENERAL.**—The Commission may for the purpose of carrying out the provisions of this Act hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission may deem advisable.

(b) **BYLAWS.**—The Commission may make such bylaws, rules and regulations, consistent with this Act, as it considers necessary to carry out the purposes of this Act.

(c) **DELEGATION.**—When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(d) **TECHNICAL ADVISORY GROUPS.**—The Commission may establish and appoint such technical advisory groups as may be necessary to provide technical advice.

(e) **DONATIONS.**—Notwithstanding any other provision of law, the Commission may seek and accept donations of funds or services from individuals, foundations, corporations, and other private enti-

ties, and from public entities, for the purpose of carrying out its duties.

(f) **ADMINISTRATIVE SUPPORT SERVICES.**—The Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

16 USC 1244
note.

SEC. 7. RESEARCH.

The Secretary, in consultation with the Commission, is authorized to enter into contracts or cooperative agreements with qualified researchers for archeological and historical research and field investigations regarding the De Soto expedition. The research and investigation may include research and investigation regarding the location of the expedition route, recovery and preservation of archeological or historical materials, identification of encampment sites, and advancement of knowledge regarding Hernando de Soto, his expedition through the southeastern United States, the native societies inhabiting the region during the period of the expedition and the cross-cultural impact of the expedition on the European and Native Americans societies. Such research shall fully utilize archival resources and be published as promptly as possible.

Florida.
16 USC 1244
note.

SEC. 8. EXPEDITION SITE IN TALLAHASSEE.

The Secretary is authorized to enter into a cooperative agreement with the State of Florida to provide technical assistance for the preservation and interpretation of the De Soto expedition site in Tallahassee, Florida.

16 USC 1244
note.

SEC. 9. TECHNICAL ASSISTANCE.

The Secretary may, in consultation with the Commission, provide technical assistance to States for the development of interpretive materials to enhance public appreciation of the archeological, historical, and cultural values associated with the De Soto expedition, the Native American societies it encountered, and the impacts of the European-Native American contact.

16 USC 1244
note.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) **COMMISSION.**—For the purposes of carrying out the functions of the Commission, there are authorized to be appropriated such sums as may be necessary not to exceed \$250,000.

(b) RESEARCH.—For the purposes of section 7, there are authorized to be appropriated such sums as may be necessary not to exceed \$750,000.

Approved November 16, 1990.

LEGISLATIVE HISTORY—S. 555:

SENATE REPORTS: No. 101-232 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 136 (1990):

Jan. 24, considered and passed Senate.
Oct. 22, considered and passed House, amended.
Oct. 27, Senate concurred in House amendment.