

108TH CONGRESS
2D SESSION

H. R. 5310

To establish a National Commission on the Quincentennial of the discovery
of Florida by Ponce de Leon.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2004

Mr. CRENSHAW introduced the following bill; which was referred to the
Committee on Government Reform

A BILL

To establish a National Commission on the Quincentennial
of the discovery of Florida by Ponce de Leon.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ponce de Leon Dis-
5 covery of Florida Quincentennial Commission Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the Quincentennial of the founding of Flor-
9 ida by Ponce de Leon occurs in 2013, 500 years

1 after Ponce de Leon landed on its shores and ex-
2 plored the Keys and the west coast of Florida;

3 (2) evidence supports the theory that Ponce de
4 Leon was the first European to land on the shores
5 of Florida;

6 (3) Florida means “the land of flowers” and
7 the State owes its name to Ponce de Leon;

8 (4) Ponce de Leon’s quest for the “fountain of
9 youth” has become an established legend which has
10 drawn fame and recognition to Florida and the
11 United States;

12 (5) the discovery of Florida by Ponce de Leon,
13 the myth of the “fountain of youth”, and the subse-
14 quent colonization of Florida encouraged other Eu-
15 ropean countries to explore the New World and to
16 establish settlements in the territory that is cur-
17 rently the United States;

18 (6) Florida was colonized under 5 flags; and

19 (7) commemoration of the arrival in Florida of
20 Ponce de Leon and the beginning of the colonization
21 of the Americas would—

22 (A) enhance public understanding of the
23 impact of the discovery of Florida on the his-
24 tory of the United States; and

1 (B) provide lessons about the importance
2 of exploration and discovery.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) COMMISSION.—The term “Commission”
6 means the National Commission on the Quincenten-
7 nial of the discovery of Florida by Ponce de Leon es-
8 tablished under section 4(a).

9 (2) GOVERNOR.—The term “Governor” means
10 the Governor of the State of Florida.

11 (3) QUINCENTENNIAL.—The term “Quin-
12 centennial” means the 500th anniversary of the dis-
13 covery of Florida by Ponce de Leon.

14 **SEC. 4. ESTABLISHMENT OF COMMISSION.**

15 (a) ESTABLISHMENT.—There is established a com-
16 mission to be known as the “National Commission on the
17 Quincentennial of the discovery of Florida by Ponce de
18 Leon”.

19 (b) DUTIES.—The Commission shall plan, encourage,
20 coordinate, and conduct the commemoration of the Quin-
21 centennial.

22 (c) MEMBERSHIP.—

23 (1) COMPOSITION.—The Commission shall be
24 composed of 10 members, including—

1 (A) 2 members, to be appointed by the
2 President, on the recommendation of the Major-
3 ity Leader and the Minority Leader of the Sen-
4 ate;

5 (B) 2 members, to be appointed by the
6 President, on the recommendation of the
7 Speaker of the House of Representatives and
8 the Minority Leader of the House of Represent-
9 atives; and

10 (C) 4 members, to be appointed by the
11 President, taking into consideration the rec-
12 ommendations of the Governor, the Director of
13 the National Park Service, and the Secretary of
14 the Smithsonian Institution.

15 (2) CRITERIA.—A member of the Commission
16 shall be chosen from among individuals that have
17 demonstrated a strong sense of public service, exper-
18 tise in the appropriate professions, scholarship, and
19 abilities likely to contribute to the fulfillment of the
20 duties of the Commission.

21 (3) DATE OF APPOINTMENTS.—Not later than
22 60 days after the date of enactment of this Act, the
23 members of the Commission described in paragraph
24 (1) shall be appointed.

25 (d) TERM; VACANCIES.—

1 (1) TERM.—A member shall be appointed for
2 the life of the Commission.

3 (2) VACANCY.—A vacancy on the Commis-
4 sion—

5 (A) shall not affect the powers of the Com-
6 mission; and

7 (B) shall be filled in the same manner as
8 the original appointment was made.

9 (e) INITIAL MEETING.—Not later than 30 days after
10 the date on which all members of the Commission have
11 been appointed, the Commission shall hold the initial
12 meeting of the Commission.

13 (f) MEETINGS.—The Commission shall meet annually
14 at the call of the co-chairpersons described under sub-
15 section (h).

16 (g) QUORUM.—A quorum of the Commission for deci-
17 sion making purposes shall be 5 members, except that a
18 lesser number of members, as determined by the Commis-
19 sion, may conduct meetings.

20 (h) CO-CHAIRPERSONS.—The President shall des-
21 ignate 2 of the members of the Commission as co-chair-
22 persons of the Commission.

23 **SEC. 5. DUTIES.**

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

1 (1) plan and develop activities appropriate to
2 commemorate the Quincentennial including a limited
3 number of proposed projects to be undertaken by the
4 appropriate Federal departments and agencies that
5 commemorate the Quincentennial by seeking to har-
6 monize and balance the important goals of ceremony
7 and celebration with the equally important goals of
8 scholarship and education;

9 (2) consult with and encourage appropriate
10 Federal departments and agencies, State and local
11 governments, Indian tribal governments, elementary
12 and secondary schools, colleges and universities, for-
13 eign governments, and private organizations to orga-
14 nize and participate in Quincentennial activities
15 commemorating or examining—

16 (A) the history of Florida;

17 (B) the discovery of Florida;

18 (C) the life of Ponce de Leon;

19 (D) the myths surrounding Ponce de
20 Leon's search for gold and for the "fountain of
21 youth";

22 (E) the exploration of Florida; and

23 (F) the beginnings of the colonization of
24 North America; and

1 (3) coordinate activities throughout the United
2 States and internationally that relate to the history
3 and influence of the discovery of Florida.

4 (b) REPORTS.—

5 (1) IN GENERAL.—Not later than 1 year after
6 the date of enactment of this Act, the Commission
7 shall submit to the President and the Committee on
8 Energy and Natural Resources of the Senate and
9 the Committee on Resources of the House of Rep-
10 resentatives a comprehensive report that includes
11 specific recommendations for—

12 (A) the allocation of financial and adminis-
13 trative responsibility among participating enti-
14 ties and persons with respect to commemoration
15 of the Quincentennial; and

16 (B) the commemoration of the Quincenten-
17 nial and related events through programs and
18 activities, including—

19 (i) the production, publication, and
20 distribution of books, pamphlets, films,
21 electronic publications, and other edu-
22 cational materials focusing on the history
23 and impact of the discovery of Florida on
24 the United States and the world;

1 (ii) bibliographical and documentary
2 projects, publications, and electronic re-
3 sources;

4 (iii) conferences, convocations, lec-
5 tures, seminars, and other programs;

6 (iv) the development of programs by
7 and for libraries, museums, parks and his-
8 toric sites, including international and na-
9 tional traveling exhibitions;

10 (v) ceremonies and celebrations com-
11 memorating specific events;

12 (vi) the production, distribution, and
13 performance of artistic works, and of pro-
14 grams and activities, focusing on the na-
15 tional and international significance of the
16 discovery of Florida; and

17 (vii) the issuance of commemorative
18 coins, medals, certificates of recognition,
19 and stamps.

20 (2) ANNUAL REPORT.—The Commission shall
21 submit an annual report that describes the activities,
22 programs, expenditures, and donations of or received
23 by the Commission to—

24 (A) the President; and

1 (B) the Committee on Energy and Natural
2 Resources of the Senate and the Committee on
3 Resources of the House of Representatives.

4 (3) FINAL REPORT.—Not later than December
5 31, 2013, the Commission shall submit a final re-
6 port that describes the activities, programs, expendi-
7 tures, and donations of or received by the Commis-
8 sion to—

9 (A) the President; and

10 (B) the Committee on Energy and Natural
11 Resources of the Senate and the Committee on
12 Resources of the House of Representatives.

13 (c) ASSISTANCE.—In carrying out this Act, the Com-
14 mission shall consult, cooperate with, and seek advice and
15 assistance from appropriate Federal departments and
16 agencies, including the Department of the Interior.

17 (d) COORDINATION OF ACTIVITIES.—In carrying out
18 the duties of the Commission, the Commission, in con-
19 sultation with the Secretary of State, may coordinate with
20 the Government of Spain and political subdivisions in
21 Spain for the purposes of exchanging information and re-
22 search and otherwise involving the Government of Spain,
23 as appropriate, in the commemoration of the Quincenten-
24 nial.

1 **SEC. 6. POWERS OF THE COMMISSION.**

2 (a) IN GENERAL.—The Commission may provide
3 for—

4 (1) the preparation, distribution, dissemination,
5 exhibition, and sale of historical, commemorative,
6 and informational materials and objects that will
7 contribute to public awareness of, and interest in,
8 the Quincentennial, except that any commemorative
9 coin, medal, or postage stamp recommended to be
10 issued by the United States shall be sold only by a
11 Federal department or agency;

12 (2) competitions and awards for historical,
13 scholarly, artistic, literary, musical, and other works,
14 programs, and projects relating to the Quincenten-
15 nial;

16 (3) a Quincentennial calendar or register of
17 programs and projects;

18 (4) a central clearinghouse for information and
19 coordination regarding dates, events, places, docu-
20 ments, artifacts, and personalities of Quincentennial
21 historical and commemorative significance; and

22 (5) the design and designation of logos, sym-
23 bols, or marks for use in connection with the com-
24 memoration of the Quincentennial and shall estab-
25 lish procedures regarding their use.

1 (b) ADVISORY COMMITTEE.—The Commission may
2 appoint such advisory committees as the Commission de-
3 termines necessary to carry out the purposes of this Act.

4 **SEC. 7. ADMINISTRATION.**

5 (a) LOCATION OF OFFICE.—

6 (1) PRINCIPAL OFFICE.—The principal office of
7 the Commission shall be in St. Augustine, Florida.

8 (2) SATELLITE OFFICE.—The Commission may
9 establish a satellite office in Washington, D.C.

10 (b) STAFF.—

11 (1) APPOINTMENT OF DIRECTOR AND DEPUTY
12 DIRECTOR.—

13 (A) IN GENERAL.—The co-chairpersons,
14 with the advice of the Commission, may appoint
15 and terminate a director and deputy director
16 without regard to the civil service laws (includ-
17 ing regulations).

18 (B) DELEGATION TO DIRECTOR.—The
19 Commission may delegate such powers and du-
20 ties to the director as may be necessary for the
21 efficient operation and management of the
22 Commission.

23 (2) STAFF PAID FROM FEDERAL FUNDS.—The
24 Commission may use any available Federal funds to
25 appoint and fix the compensation of not more than

1 4 additional personnel staff members, as the Com-
2 mission determines necessary.

3 (3) STAFF PAID FROM NON-FEDERAL FUNDS.—

4 The Commission may use any available non-Federal
5 funds to appoint and fix the compensation of addi-
6 tional personnel.

7 (4) COMPENSATION.—

8 (A) MEMBERS.—

9 (i) IN GENERAL.—A member of the
10 Commission shall serve without compensa-
11 tion.

12 (ii) TRAVEL EXPENSES.—A member
13 of the Commission shall be allowed travel
14 expenses, including per diem in lieu of sub-
15 sistence, at rates authorized for an em-
16 ployee of an agency under subchapter I of
17 chapter 57 of title 5, United States Code,
18 while away from the home or regular place
19 of business of the member in the perform-
20 ance of the duties of the Commission.

21 (B) STAFF.—

22 (i) IN GENERAL.—The co-chair-
23 persons of the Commission may fix the
24 compensation of the director, deputy direc-
25 tor, and other personnel without regard to

1 the provisions of chapter 51 and sub-
2 chapter III of chapter 53 of title 5, United
3 States Code, relating to classification of
4 positions and General Schedule pay rates.

5 (ii) MAXIMUM RATE OF PAY.—

6 (I) DIRECTOR.—The rate of pay
7 for the director shall not exceed the
8 rate payable for level IV of the Execu-
9 tive Schedule under section 5315 of
10 title 5, United States Code.

11 (II) DEPUTY DIRECTOR.—The
12 rate of pay for the deputy director
13 shall not exceed the rate payable for
14 level V of the Executive Schedule
15 under section 5316 of title 5, United
16 States Code.

17 (III) STAFF MEMBERS.—The
18 rate of pay for staff members ap-
19 pointed under paragraph (2) shall not
20 exceed the rate payable for grade GS-
21 15 of the General Schedule under sec-
22 tion 5332 of title 5, United States
23 Code.

24 (c) DETAIL OF FEDERAL GOVERNMENT EMPLOY-

25 EES.—

1 (1) IN GENERAL.—On request of the Commis-
2 sion, the head of any Federal agency or department
3 may detail any of the personnel of the agency or de-
4 partment to the Commission to assist the Commis-
5 sion in carrying out this Act.

6 (2) REIMBURSEMENT.—A detail of personnel
7 under this subsection shall be without reimburse-
8 ment by the Commission to the agency from which
9 the employee was detailed.

10 (3) CIVIL SERVICE STATUS.—The detail of the
11 employee shall be without interruption or loss of civil
12 service status or privilege.

13 (d) OTHER REVENUES AND EXPENDITURES.—

14 (1) IN GENERAL.—The Commission may pro-
15 cure supplies, services, and property, enter into con-
16 tracts, and expend funds appropriated, donated, or
17 received to carry out contracts.

18 (2) DONATIONS.—

19 (A) IN GENERAL.—The Commission may
20 solicit, accept, use, and dispose of donations of
21 money, property, or personal services.

22 (B) LIMITATIONS.—Subject to subpara-
23 graph (C), the Commission shall not accept do-
24 nations—

1 (i) the value of which exceeds \$50,000
2 annually, in the case of donations from an
3 individual; or

4 (ii) the value of which exceeds
5 \$250,000 annually, in the case of dona-
6 tions from a person other than an indi-
7 vidual.

8 (C) NONPROFIT ORGANIZATION.—The lim-
9 itations in subparagraph (B) shall not apply in
10 the case of an organization that is—

11 (i) described in section 501(c)(3) of
12 the Internal Revenue Code of 1986; and

13 (ii) exempt from taxation under sec-
14 tion 501(a) of the Internal Revenue Code
15 of 1986.

16 (3) ACQUIRED ITEMS.—Any book, manuscript,
17 miscellaneous printed matter, memorabilia, relic, and
18 other material or property relating to the time pe-
19 riod of the discovery of Florida acquired by the
20 Commission may be deposited for preservation in na-
21 tional, State, or local libraries, museums, archives,
22 or other agencies with the consent of the depository
23 institution.

24 (e) POSTAL SERVICES.—The Commission may use
25 the United States mail to carry out this Act in the same

1 manner and under the same conditions as other agencies
2 of the Federal Government.

3 (f) VOLUNTARY SERVICES.—Notwithstanding section
4 1342 of title 31, United States Code, the Commission may
5 accept and use voluntary and uncompensated services as
6 the Commission determines to be necessary.

7 **SEC. 8. STUDY.**

8 The Secretary of the Interior shall—

9 (1) in accordance with section 8(c) of Public
10 Law 91–383 (16 U.S.C. 1a–5(c)), conduct a study
11 to assess the suitability and feasibility of designating
12 an area in the State of Florida as a unit of the Na-
13 tional Park System to commemorate the discovery of
14 Florida by Ponce de Leon; and

15 (2) not later than 3 years after the date on
16 which funds are made available to carry out the
17 study, submit to the Committee on Energy and Nat-
18 ural Resources of the Senate and the Committee on
19 Resources of the House of Representatives a report
20 that describes—

21 (A) the findings of the study; and

22 (B) any conclusions and recommendations
23 of the Secretary of the Interior with respect to
24 the study.

1 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—Subject to subsection (b), there
3 is authorized to be appropriated to carry out the purposes
4 of this Act \$250,000 for each of fiscal years 2005 through
5 2013.

6 (b) AVAILABILITY OF FUNDS.—Amounts appro-
7 priated under this section for any fiscal year shall remain
8 available until December 31, 2013.

9 **SEC. 10. TERMINATION OF AUTHORITY.**

10 The authority provided by this Act terminates effec-
11 tive December 31, 2013.

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