

108TH CONGRESS
2D SESSION

S. 2656

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 2004

Referred to the Committee on Government Reform

AN ACT

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”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COMMISSION.—The term “Commission”
4 means the National Commission on the Quincenten-
5 nial of the discovery of Florida by Ponce de Leon es-
6 tablished under section 3(a).

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

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

12 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

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

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

20 (c) MEMBERSHIP.—

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

23 (A) 2 members, to be appointed by the
24 President, on the recommendation of the Major-
25 ity Leader and the Minority Leader of the Sen-
26 ate;

1 (B) 2 members, to be appointed by the
2 President, on the recommendation of the
3 Speaker of the House of Representatives and
4 the Minority Leader of the House of Represent-
5 atives; and

6 (C) 4 members, to be appointed by the
7 President, taking into consideration the rec-
8 ommendations of the Governor, the Director of
9 the National Park Service, and the Secretary of
10 the Smithsonian Institution.

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

17 (3) DATE OF APPOINTMENTS.—Not later than
18 60 days after the date of enactment of this Act, the
19 members of the Commission described in paragraph
20 (1) shall be appointed.

21 (d) TERM; VACANCIES.—

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

24 (2) VACANCY.—A vacancy on the Commis-
25 sion—

1 (A) shall not affect the powers of the Com-
2 mission; and

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

5 (e) INITIAL MEETING.—Not later than 30 days after
6 the date on which all members of the Commission have
7 been appointed, the Commission shall hold the initial
8 meeting of the Commission.

9 (f) MEETINGS.—The Commission shall meet annually
10 at the call of the co-chairpersons described under sub-
11 section (h).

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

16 (h) CO-CHAIRPERSONS.—The President shall des-
17 ignate 2 of the members of the Commission as co-chair-
18 persons of the Commission.

19 **SEC. 4. DUTIES.**

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

21 (1) plan and develop activities appropriate to
22 commemorate the Quincentennial including a limited
23 number of proposed projects to be undertaken by the
24 appropriate Federal departments and agencies that
25 commemorate the Quincentennial by seeking to har-

1 monize and balance the important goals of ceremony
2 and celebration with the equally important goals of
3 scholarship and education;

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

11 (A) the history of Florida;

12 (B) the discovery of Florida;

13 (C) the life of Ponce de Leon;

14 (D) the myths surrounding Ponce de
15 Leon's search for gold and for the "fountain of
16 youth";

17 (E) the exploration of Florida; and

18 (F) the beginnings of the colonization of
19 North America; and

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

23 (b) REPORTS.—

24 (1) IN GENERAL.—Not later than 1 year after
25 the date of enactment of this Act, the Commission

1 shall submit to the President and the Committee on
2 Energy and Natural Resources of the Senate and
3 the Committee on Resources of the House of Rep-
4 resentatives a comprehensive report that includes
5 specific recommendations for—

6 (A) the allocation of financial and adminis-
7 trative responsibility among participating enti-
8 ties and persons with respect to commemoration
9 of the Quincentennial; and

10 (B) the commemoration of the Quincenten-
11 nial and related events through programs and
12 activities, including—

13 (i) the production, publication, and
14 distribution of books, pamphlets, films,
15 electronic publications, and other edu-
16 cational materials focusing on the history
17 and impact of the discovery of Florida on
18 the United States and the world;

19 (ii) bibliographical and documentary
20 projects, publications, and electronic re-
21 sources;

22 (iii) conferences, convocations, lec-
23 tures, seminars, and other programs;

24 (iv) the development of programs by
25 and for libraries, museums, parks and his-

1 toric sites, including international and na-
2 tional traveling exhibitions;

3 (v) ceremonies and celebrations com-
4 memorating specific events;

5 (vi) the production, distribution, and
6 performance of artistic works, and of pro-
7 grams and activities, focusing on the na-
8 tional and international significance of the
9 discovery of Florida; and

10 (vii) the issuance of commemorative
11 coins, medals, certificates of recognition,
12 and stamps.

13 (2) ANNUAL REPORT.—The Commission shall
14 submit an annual report that describes the activities,
15 programs, expenditures, and donations of or received
16 by the Commission to—

17 (A) the President; and

18 (B) the Committee on Energy and Natural
19 Resources of the Senate and the Committee on
20 Resources of the House of Representatives.

21 (3) FINAL REPORT.—Not later than December
22 31, 2013, the Commission shall submit a final re-
23 port that describes the activities, programs, expendi-
24 tures, and donations of or received by the Commis-
25 sion to—

1 (A) the President; and

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

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

9 (d) COORDINATION OF ACTIVITIES.—In carrying out
10 the duties of the Commission, the Commission, in con-
11 sultation with the Secretary of State, may coordinate with
12 the Government of Spain and political subdivisions in
13 Spain for the purposes of exchanging information and re-
14 search and otherwise involving the Government of Spain,
15 as appropriate, in the commemoration of the Quincenten-
16 nial.

17 **SEC. 5. POWERS OF THE COMMISSION.**

18 (a) IN GENERAL.—The Commission may provide
19 for—

20 (1) the preparation, distribution, dissemination,
21 exhibition, and sale of historical, commemorative,
22 and informational materials and objects that will
23 contribute to public awareness of, and interest in,
24 the Quincentennial, except that any commemorative
25 coin, medal, or postage stamp recommended to be

1 issued by the United States shall be sold only by a
2 Federal department or agency;

3 (2) competitions and awards for historical,
4 scholarly, artistic, literary, musical, and other works,
5 programs, and projects relating to the Quincenten-
6 nial;

7 (3) a Quincentennial calendar or register of
8 programs and projects;

9 (4) a central clearinghouse for information and
10 coordination regarding dates, events, places, docu-
11 ments, artifacts, and personalities of Quincentennial
12 historical and commemorative significance; and

13 (5) the design and designation of logos, sym-
14 bols, or marks for use in connection with the com-
15 memoration of the Quincentennial and shall estab-
16 lish procedures regarding their use.

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

20 **SEC. 6. ADMINISTRATION.**

21 (a) LOCATION OF OFFICE.—

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

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

1 (b) STAFF.—

2 (1) APPOINTMENT OF DIRECTOR AND DEPUTY
3 DIRECTOR.—

4 (A) IN GENERAL.—The co-chairpersons,
5 with the advice of the Commission, may appoint
6 and terminate a director and deputy director
7 without regard to the civil service laws (includ-
8 ing regulations).

9 (B) DELEGATION TO DIRECTOR.—The
10 Commission may delegate such powers and du-
11 ties to the director as may be necessary for the
12 efficient operation and management of the
13 Commission.

14 (2) STAFF PAID FROM FEDERAL FUNDS.—The
15 Commission may use any available Federal funds to
16 appoint and fix the compensation of not more than
17 4 additional personnel staff members, as the Com-
18 mission determines necessary.

19 (3) STAFF PAID FROM NON-FEDERAL FUNDS.—
20 The Commission may use any available non-Federal
21 funds to appoint and fix the compensation of addi-
22 tional personnel.

23 (4) COMPENSATION.—

24 (A) MEMBERS.—

1 (i) IN GENERAL.—A member of the
2 Commission shall serve without compensa-
3 tion.

4 (ii) TRAVEL EXPENSES.—A member
5 of the Commission shall be allowed travel
6 expenses, including per diem in lieu of sub-
7 sistence, at rates authorized for an em-
8 ployee of an agency under subchapter I of
9 chapter 57 of title 5, United States Code,
10 while away from the home or regular place
11 of business of the member in the perform-
12 ance of the duties of the Commission.

13 (B) STAFF.—

14 (i) IN GENERAL.—The co-chair-
15 persons of the Commission may fix the
16 compensation of the director, deputy direc-
17 tor, and other personnel without regard to
18 the provisions of chapter 51 and sub-
19 chapter III of chapter 53 of title 5, United
20 States Code, relating to classification of
21 positions and General Schedule pay rates.

22 (ii) MAXIMUM RATE OF PAY.—

23 (I) DIRECTOR.—The rate of pay
24 for the director shall not exceed the
25 rate payable for level IV of the Execu-

1 tive Schedule under section 5315 of
2 title 5, United States Code.

3 (II) DEPUTY DIRECTOR.—The
4 rate of pay for the deputy director
5 shall not exceed the rate payable for
6 level V of the Executive Schedule
7 under section 5316 of title 5, United
8 States Code.

9 (III) STAFF MEMBERS.—The
10 rate of pay for staff members ap-
11 pointed under paragraph (2) shall not
12 exceed the rate payable for grade GS-
13 15 of the General Schedule under sec-
14 tion 5332 of title 5, United States
15 Code.

16 (c) DETAIL OF FEDERAL GOVERNMENT EMPLOY-
17 EES.—

18 (1) IN GENERAL.—On request of the Commis-
19 sion, the head of any Federal agency or department
20 may detail any of the personnel of the agency or de-
21 partment to the Commission to assist the Commis-
22 sion in carrying out this Act.

23 (2) REIMBURSEMENT.—A detail of personnel
24 under this subsection shall be without reimburse-

1 ment by the Commission to the agency from which
2 the employee was detailed.

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

6 (d) OTHER REVENUES AND EXPENDITURES.—

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

11 (2) DONATIONS.—

12 (A) IN GENERAL.—The Commission may
13 solicit, accept, use, and dispose of donations of
14 money, property, or personal services.

15 (B) LIMITATIONS.—Subject to subpara-
16 graph (C), the Commission shall not accept do-
17 nations—

18 (i) the value of which exceeds \$50,000
19 annually, in the case of donations from an
20 individual; or

21 (ii) the value of which exceeds
22 \$250,000 annually, in the case of dona-
23 tions from a person other than an indi-
24 vidual.

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

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

6 (ii) exempt from taxation under sec-
7 tion 501(a) of the Internal Revenue Code
8 of 1986.

9 (3) ACQUIRED ITEMS.—Any book, manuscript,
10 miscellaneous printed matter, memorabilia, relic, and
11 other material or property relating to the time pe-
12 riod of the discovery of Florida acquired by the
13 Commission may be deposited for preservation in na-
14 tional, State, or local libraries, museums, archives,
15 or other agencies with the consent of the depository
16 institution.

17 (e) POSTAL SERVICES.—The Commission may use
18 the United States mail to carry out this Act in the same
19 manner and under the same conditions as other agencies
20 of the Federal Government.

21 (f) VOLUNTARY SERVICES.—Notwithstanding section
22 1342 of title 31, United States Code, the Commission may
23 accept and use voluntary and uncompensated services as
24 the Commission determines to be necessary.

1 **SEC. 7. STUDY.**

2 The Secretary of the Interior shall—

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

9 (2) not later than 3 years after the date on
10 which funds are made available to carry out the
11 study, submit to the Committee on Energy and Nat-
12 ural Resources of the Senate and the Committee on
13 Resources of the House of Representatives a report
14 that describes—

15 (A) the findings of the study; and

16 (B) any conclusions and recommendations
17 of the Secretary of the Interior with respect to
18 the study.

19 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) IN GENERAL.—Subject to subsection (b), there
21 is authorized to be appropriated to carry out the purposes
22 of this Act \$250,000 for each of fiscal years 2005 through
23 2013.

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

1 **SEC. 9. TERMINATION OF AUTHORITY.**

2 The authority provided by this Act terminates effec-
3 tive December 31, 2013.

Passed the Senate October 10, 2004.

Attest: EMILY J. REYNOLDS,
Secretary.