

110TH CONGRESS  
1ST SESSION

# H. R. 4258

To establish the St. Augustine 450th Commemoration Commission, and for  
other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2007

Mr. MICA introduced the following bill; which was referred to the Committee  
on Oversight and Government Reform

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## A BILL

To establish the St. Augustine 450th Commemoration  
Commission, 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       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “St. Augustine 450th  
5       Commemoration Commission Act of 2007”.

6       **SEC. 2. FINDINGS AND PURPOSE.**

7       (a) FINDINGS.—Congress makes the following find-  
8       ings:

9               (1) The founding of the city of St. Augustine,  
10       Florida, in 1565 established the first permanent Eu-

1       ropean colony and the birthplace of the Christian re-  
2       ligion (particularly Roman Catholicism) in the New  
3       World.

4           (2) The settlement of St. Augustine brought  
5       people from throughout the Atlantic Basin together  
6       to form a multicultural society, including peoples  
7       from Spain, England, and the rest of Europe as well  
8       as Native Americans and Africans.

9           (3) The economic, political, religious, and other  
10      social institutions that have developed over the 4½  
11      centuries of the continuous, uninterrupted existence  
12      of St. Augustine, the oldest city in North America,  
13      continue to have profound effects on the United  
14      States, on cross-cultural relationships, and on the  
15      economic structure, status, and international influ-  
16      ence of the United States.

17          (4) The National Park Service, the State of  
18      Florida, the city of St. Augustine, and the Univer-  
19      sity of Florida collectively own and operate signifi-  
20      cant resources related to the history of St. Augus-  
21      tine.

22          (5) The city of St. Augustine has existed con-  
23      tinuously since 1565 and is the governmental entity  
24      responsible for planning and implementing the com-

1       memoration of the 450th anniversary of the found-  
2       ing of St. Augustine.

3           (6) The city of St. Augustine has created a  
4       committee to prepare for the 450th anniversary  
5       commemoration, and planning for the commemora-  
6       tion has been initiated.

7       (b) PURPOSE.—The purpose of this Act is to estab-  
8       lish the St. Augustine 450th Commemoration Commission  
9       to—

10           (1) ensure a suitable national observance of the  
11       450th anniversary of the city of St. Augustine by  
12       complementing the programs and activities of the  
13       State of Florida and the city of St. Augustine;

14           (2) cooperate with and assist in the programs  
15       and activities of the State of Florida in observance  
16       of the 450th anniversary of St. Augustine;

17           (3) assist in ensuring that the St. Augustine  
18       450th anniversary observances provide an excellent  
19       visitor experience and beneficial interaction between  
20       visitors and the natural and cultural resources of the  
21       St. Augustine sites;

22           (4) assist in ensuring that the St. Augustine  
23       450th anniversary observances are inclusive and ap-  
24       propriately recognize the experiences of all peoples in  
25       St. Augustine's history;

1           (5) provide assistance in the development of St.  
2     Augustine-related programs and activities;

3           (6) facilitate international involvement in the  
4     St. Augustine 450th anniversary observances;

5           (7) support and facilitate marketing efforts for  
6     a commemorative coin, stamp, and related activities  
7     for the St. Augustine 450th anniversary observ-  
8     ances; and

9           (8) assist in the appropriate development of  
10    heritage tourism and economic benefits to the  
11    United States through the commemoration of the  
12    450th anniversary of the city of St. Augustine.

13 **SEC. 3. DEFINITIONS.**

14     In this Act—

15           (1) **COMMEMORATION.**—The term “commemo-  
16    ration” means the commemoration of the 450th an-  
17    niversary of the founding of the settlement of St.  
18    Augustine.

19           (2) **COMMISSION.**—The term “Commission”  
20    means the St. Augustine 450th Commemoration  
21    Commission established by section 4.

22           (3) **GOVERNOR.**—The term “Governor” means  
23    the Governor of the State of Florida.

24           (4) **SECRETARY.**—The term “Secretary” means  
25    the Secretary of the Interior.

1 (5) STATE.—

2 (A) IN GENERAL.—The term “State”  
3 means the State of Florida.

4 (B) INCLUSION.—The term “State” in-  
5 cludes agencies and entities of the State of  
6 Florida.

7 **SEC. 4. ESTABLISHMENT.**

8 There is established a commission to be known as the  
9 St. Augustine 450th Commemoration Commission.

10 **SEC. 5. DUTIES.**

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

12 (1) plan, develop, and execute programs and ac-  
13 tivities appropriate to commemorate the 450th anni-  
14 versary of the founding of St. Augustine, Florida;

15 (2) generally facilitate St. Augustine commemo-  
16 ration-related activities throughout the United  
17 States;

18 (3) encourage civic, patriotic, historical, edu-  
19 cational, religious, economic, and other organizations  
20 throughout the United States to organize and par-  
21 ticipate in anniversary activities to expand under-  
22 standing and appreciation of the significance of the  
23 founding and continuing history of St. Augustine;

1           (4) coordinate and facilitate scholarly research  
2           on, publication about, and interpretation of, St. Au-  
3           gustine for the education of the public; and

4           (5) ensure that the 450th anniversary of St.  
5           Augustine provides a lasting legacy and long-term  
6           public benefit for the United States by assisting in  
7           the development of appropriate programs and facili-  
8           ties to accommodate those programs.

9           (b) PLANS; REPORTS.—

10           (1) STRATEGIC PLAN; ANNUAL PERFORMANCE  
11           PLANS.—In accordance with the Government Per-  
12           formance and Results Act of 1993, the Commission  
13           shall prepare a strategic plan and annual perform-  
14           ance plans for the activities of the Commission car-  
15           ried out under this Act.

16           (2) FINAL REPORT.—Not later than December  
17           31, 2015, the Commission shall complete a final re-  
18           port that contains—

19                   (A) a summary of the activities of the  
20           Commission;

21                   (B) a final accounting of funds received  
22           and expended by the Commission; and

23                   (C) the findings and recommendations of  
24           the Commission.

1 **SEC. 6. MEMBERSHIP.**

2 (a) IN GENERAL.—The Commission shall be com-  
3 posed of 16 members, of whom—

4 (1) 3 members shall be appointed by the Sec-  
5 retary, taking into consideration the recommenda-  
6 tions of the St. Augustine City Commission;

7 (2) 3 members shall be appointed by the Sec-  
8 retary, taking into consideration the recommenda-  
9 tions of the Governor;

10 (3) 1 member shall be an employee of the Na-  
11 tional Park Service having experience relevant to the  
12 historic resources relating to the city of St. Augus-  
13 tine and the commemoration, to be appointed by the  
14 Secretary;

15 (4) 1 member shall be the Mayor of the city of  
16 St. Augustine (or a designee);

17 (5) 1 member shall be an employee of the State  
18 University System of Florida, to be appointed by the  
19 Secretary; and

20 (6) 5 members shall be individuals who are non-  
21 residents of the State of Florida who have an inter-  
22 est in, support for, and expertise appropriate to the  
23 commemoration, to be appointed by the Secretary,  
24 taking into consideration the recommendation of  
25 Congress.

1 (b) TIME OF APPOINTMENT.—Each initial appoint-  
2 ment of a member of the Commission shall be made before  
3 the expiration of the 120-day period beginning on the date  
4 of the enactment of this Act.

5 (c) TERM; VACANCIES.—

6 (1) TERM.—A member of the Commission shall  
7 be appointed for the life of the Commission, unless  
8 a designee is appointed pursuant to subsection  
9 (a)(4).

10 (2) VACANCIES.—

11 (A) IN GENERAL.—A vacancy on the Com-  
12 mission shall be filled in the same manner in  
13 which the original appointment was made.

14 (B) PARTIAL TERM.—A member appointed  
15 to fill a vacancy on the Commission shall serve  
16 for the remainder of the term for which the  
17 predecessor of the member was appointed.

18 (3) CONTINUATION OF MEMBERSHIP.—If a  
19 member of the Commission was appointed to the  
20 Commission as Mayor of the city of St. Augustine  
21 or as an employee of the National Park Service or  
22 the State University System of Florida, and ceases  
23 to hold such position, that member may continue to  
24 serve on the Commission for not longer than the 30-



1 day period beginning on the date that member  
2 ceases to hold such position.

3 (d) MEETINGS.—

4 (1) IN GENERAL.—The Commission shall  
5 meet—

6 (A) at least 3 times each year; or

7 (B) at the call of the Chairperson or the  
8 majority of the members of the Commission.

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

13 (e) VOTING.—

14 (1) IN GENERAL.—The Commission shall act  
15 only on an affirmative vote of a majority of the  
16 members of the Commission.

17 (2) QUORUM.—A majority of the Commission  
18 shall constitute a quorum.

19 (f) CHAIRPERSON.—The Secretary shall appoint a  
20 Chairperson of the Commission, taking into consideration  
21 any recommendations of the Governor.

22 (g) COMPENSATION.—

23 (1) IN GENERAL.—Except as provided in para-  
24 graph (2), a member of the Commission shall serve  
25 without compensation.

1           (2) FEDERAL EMPLOYEES.—A member of the  
2       Commission who is an officer or employee of the  
3       Federal Government shall serve without compensa-  
4       tion other than the compensation received for the  
5       services of the member as an officer or employee of  
6       the Federal Government.

7           (3) TRAVEL EXPENSES.—A member of the  
8       Commission shall be allowed travel expenses, includ-  
9       ing per diem in lieu of subsistence, at rates author-  
10      ized for an employee of an agency under subchapter  
11      I of chapter 57 of title 5, United States Code, while  
12      away from the home or regular place of business of  
13      the member in the performance of the duties of the  
14      Commission.

15 **SEC. 7. DIRECTOR AND STAFF.**

16       (a) IN GENERAL.—The Chairperson of the Commis-  
17      sion may, without regard to the provisions of title 5,  
18      United States Code, appoint and terminate an executive  
19      director and such other additional personnel as are nec-  
20      essary to enable the Commission to perform the duties of  
21      the Commission.

22       (b) CONFIRMATION OF EXECUTIVE DIRECTOR.—The  
23      employment of an executive director shall be subject to  
24      confirmation by the Commission.

25       (c) COMPENSATION.—

1           (1) IN GENERAL.—Except as provided in para-  
2       graph (2), the Chairperson of the Commission may  
3       fix the compensation of the executive director and  
4       other personnel without regard to the provisions of  
5       chapter 51 and subchapter III of chapter 53 of title  
6       5, United States Code, relating to classification of  
7       positions and General Schedule pay rates.

8           (2) MAXIMUM RATE OF PAY.—The rate of pay  
9       for the executive director and other personnel shall  
10      not exceed the rate payable for level V of the Execu-  
11      tive Schedule under section 5316 of title 5, United  
12      States Code.

13      (d) DETAIL OF GOVERNMENT EMPLOYEES.—

14           (1) FEDERAL EMPLOYEES.—

15           (A) IN GENERAL.—At the request of the  
16      Commission, the head of any Federal agency  
17      may detail, on a reimbursable or non-reimburs-  
18      able basis, any of the personnel of the agency  
19      to the Commission to assist the Commission in  
20      carrying out the duties of the Commission  
21      under this Act. Any reimbursement under this  
22      paragraph shall be credited to the appropria-  
23      tion, fund, or account used for paying the  
24      amounts reimbursed.

1 (B) CIVIL SERVICE STATUS.—The detail of  
2 an employee under subparagraph (A) shall be  
3 without interruption or loss of civil service sta-  
4 tus or privilege.

5 (2) STATE EMPLOYEES.—The Commission  
6 may—

7 (A) accept the services of personnel de-  
8 tailed from the State; and

9 (B) reimburse the State for services of de-  
10 tailed personnel.

11 (e) VOLUNTEER AND UNCOMPENSATED SERVICES.—  
12 Notwithstanding section 1342 of title 31, United States  
13 Code, the Commission may accept and use voluntary and  
14 uncompensated services as the Commission determines  
15 necessary.

16 (f) SUPPORT SERVICES.—The Director of the Na-  
17 tional Park Service shall provide to the Commission, on  
18 a reimbursable basis, such administrative support services  
19 as the Commission may request. Any reimbursement  
20 under this paragraph shall be credited to the appropria-  
21 tion, fund, or account used for paying the amounts reim-  
22 bursed.

23 (g) PROCUREMENT OF TEMPORARY AND INTERMIT-  
24 TENT SERVICES.—The Chairperson of the Commission  
25 may procure temporary and intermittent services in ac-

1 cordance with section 3109(b) of title 5, United States  
2 Code, at rates for individuals that do not exceed the daily  
3 equivalent of the annual rate of basic pay prescribed for  
4 level V of the Executive Schedule under section 5316 of  
5 such title.

6 (h) FACA NONAPPLICABILITY.—Section 14(b) of the  
7 Federal Advisory Committee Act (5 U.S.C. App.) shall not  
8 apply to the Commission.

9 (i) NO EFFECT ON AUTHORITY.—Nothing in this  
10 section supersedes the authority of the State, the National  
11 Park Service, the city of St. Augustine, or any designee  
12 of the foregoing, concerning the commemoration.

13 **SEC. 8. POWERS.**

14 (a) IN GENERAL.—The Commission may—

15 (1) accept donations and make dispersions of  
16 money, personal services, and real and personal  
17 property related to St. Augustine and the signifi-  
18 cance of St. Augustine in the history of the United  
19 States;

20 (2) appoint such advisory committees as the  
21 Commission determines to be necessary to carry out  
22 this Act;

23 (3) authorize any member or employee of the  
24 Commission to take any action that the Commission  
25 is authorized to take by this Act;

1           (4) procure supplies, services, and property, and  
2           make or enter into contracts, leases, and other legal  
3           agreements, to carry out this Act (except that any  
4           contracts, leases, and other legal agreements made  
5           or entered into by the Commission shall not extend  
6           beyond the date of termination of the Commission);

7           (5) use the United States mails in the same  
8           manner and under the same conditions as other  
9           Federal agencies;

10          (6) make grants in amounts not to exceed  
11          \$10,000 per grant to communities and nonprofit or-  
12          ganizations to develop programs to assist in the  
13          commemoration;

14          (7) make grants to research and scholarly orga-  
15          nizations to research, publish, or distribute informa-  
16          tion relating to the early history of St. Augustine;  
17          and

18          (8) provide technical assistance to States, local-  
19          ities, and nonprofit organizations to further the com-  
20          memoration.

21          (b) TERMINATION.—The Commission shall terminate  
22          on December 31, 2015.

23       **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

24          There are authorized to be appropriated such sums  
25          as are necessary to carry out this Act, and such appro-

- 1 priated sums shall not expire and shall remain until ex-
- 2 pended.

